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# 1984-85 Annual Report

Ministry of Labour

Ontario





# 1984-85 Annual Report

Ministry of Labour

Ontario

Fiscal year ending March 31, 1985







fice of the

Ministry of Labour

400 University Avenue Toronto, Ontario M7A 1T7 (416) 965-4101

August 9, 1985

His Honour
The Lieutenant-Governor in Council

May it please Your Honour:

I have the privilege of presenting the 66th Annual Report of the Ministry of Labour for the fiscal year ending March 31, 1985.

I respectfully submit the report as attached.

The Honourable William Wrye

Minister





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e of the uty Minister Ministry of Labour

400 University Avenue Toronto, Ontario M7A 1T7 416/965-4115

August 9, 1985

The Honourable William Wrye Minister of Labour

Dear Mr. Wrye:

I am pleased to submit the Ministry of Labour's Annual Report for 1984-85 for your consideration.

The staff of the Ministry have, once again, performed their duties with dedication and professionalism to ensure that the workers of Ontario are well served by the programs and legislation for which the Ministry is responsible.

The Ministry faces exciting challenges in pursuing its mandate for promoting justice and equality in the workplace. In particular, the Ministry is charged with the responsibility of developing equal value legislation in the public service.

Ontario is experiencing a particularly heavy bargaining calendar. Our conciliators and mediators will again provide vital assistance in the resolution of collective bargaining disputes.

The Ministry is actively encouraging a closer and more meaningful dialogue between the labour market parties. At the sectoral level, employers and unions increasingly are recognizing the benefit of regular dialogue in breaking down the barriers to understanding and cooperation. Important progress has also been made in promoting consultation between government, labour and business on more general social and economic issues.

The effective control of toxic substances in the workplace is a priority within the Ministry. The process of designating toxic substances will continue at a vigorous pace. In addition, a designated substance enforcement unit has recently been created with special expertise to ensure compliance with the designated substance regulations.

The Ontario Human Rights Commission continues to be an important force in resolving conflict and promoting harmony and social justice in Ontario. These goals are accomplished through the investigation of individual complaints, public education and through the activities of the Race Relations Division.

As you know, recent amendments to the Workers' Compensation Act have resulted in major structural change in the administration of the legislation. Progress is well under way on the second phase of the Workers' Compensation reform which will deal with such issues as permanent disability pensions, the adjustment of pensions and the reinstatement of rehabilitated workers.

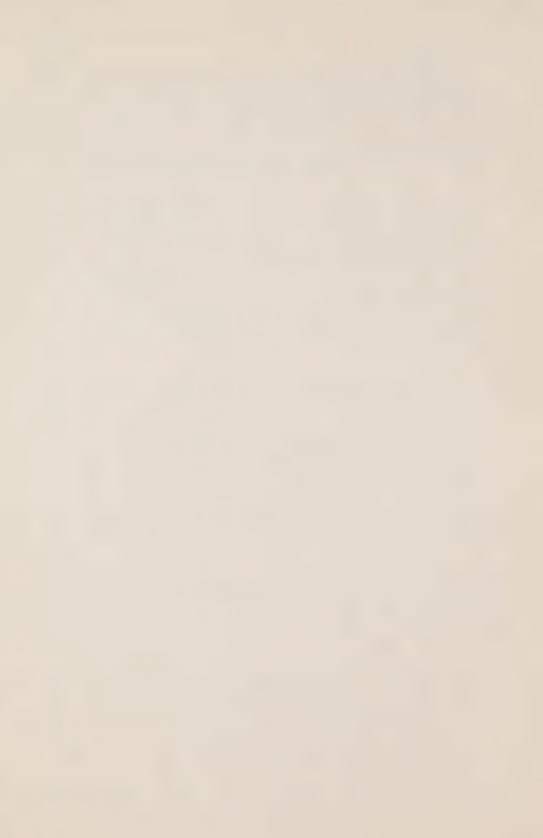
All of these initiatives are intended to contribute to the security and well-being of members of the Ontario workforce.

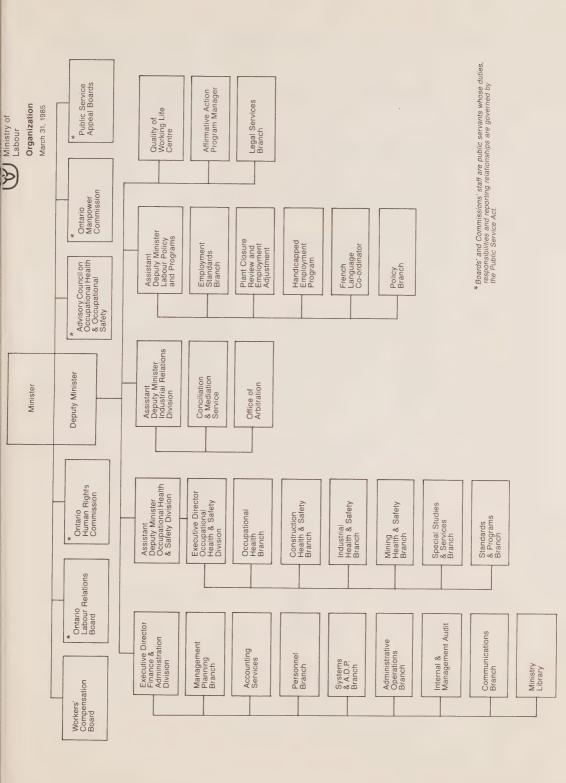
Respectfully submitted,

T.E. Armstrong, Q.C. Deputy Minister

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#### ACTS ADMINISTERED

### Administered By

Crown Employees Collective
Bargaining Act

Crown Employees Grievance Settlement Board and Ontario Public Service Labour Relations Tribunal

Employment Agencies Act

Employment Standards

Employment Standards Act

Employment Standards

Government Contracts Hours and Wages Act

Employment Standards

Hospital Labour Disputes
Arbitration Act

Office of Arbitration

Human Rights Code, 1981

Human Rights Commission

Industrial Standards Act

Employment Standards

Labour Relations Act

Labour Relations Board

Ministry of Labour Act

Main Office

Occupational Health and

Occupational Health and

Safety Act

Safety Division

One Day's Rest in Seven Act

Employment Standards

Rights of Labour Act

Main Office

Workers' Compensation Act

Workers' Compensation Board

Workmen's Compensation

Workmen's Compensation
Insurance Act

Workers' Compensation Board

Blind Workmen's Compensation Act Workers' Compensation

Board

# Industrial Relations Division

L.V. Pathe
Assistant Deputy Minister

The role of the Industrial Relations Division is to promote harmonious relations between employers and employees. The division's overall objective is a stable labour-relations climate in the province.

This objective is pursued through three activities: Program Administration, the Ontario Conciliation and Mediation Service and the Office of Arbitration.

The Ontario Conciliation and Mediation Service provides conciliation and mediation assistance to labour and management involved in collective agreement negotiations. In addition, the service provides preventive mediation assistance to labour and management during the term of the collective agreement.

The Office of Arbitration administers the sections of the Labour Relations Act dealing with rights arbitration. The office also administers the Hospital Labour Disputes Arbitration Act and co-ordinates the appeal process under the Employment Standards Act.

The objectives of the Industrial Relations Division in pursuit of sound labour-management relations are as follows:

- to encourage effective bargaining as contemplated by the Labour Relations Act;
- to promote peaceful settlements through conciliation and mediation service;
- to provide, where necessary, preventive mediation assistance to labour and management during the term of the collective agreement;
- to facilitate the processes of grievance and interest arbitration in accordance with the intention of the Labour Relations Act and the Hospital Labour Disputes Arbitration Act.
- to collect and analyse collective bargaining information for the use of the ministry and the industrial relations community

An assistant deputy minister is responsible for directing and co-ordinating the activities of the Industrial Relations Division.

During 1984/85 the office had a complement of three - an assistant deputy minister, an executive assistant and a secretary.

#### Construction Industry Advisory Board

An advisory body known as the Construction Industry Advisory Board has been established to advise the minister on issues of common concern to labour and management in the construction industry.

# Ontario Conciliation and Mediation Service

Ray Illing Director Harry J. Sparling Associate Director, Technical Services

The goals of the Ontario Conciliation and Mediation Service are to foster harmonious labour-management relations and to minimize disruption in the economy arising from strikes and lock-outs.

To achieve these goals, the service, operating under the authority of the Labour Relations Act carries out major programs in two areas - collective agreement dispute resolution through conciliation/mediation, and preventive mediation.

The service performs conciliation and mediation functions, assisting employers and unions to achieve settlement of their contractual differences. In addition, OCMS has firmly established a program of preventive mediation, which involves anticipating and providing for the needs of management and labour in the development of their relationship to minimize disruptions and to facilitate peaceful negotiations of collective agreements.

A specialist unit, the Occupational Health and Safety Advisory Service, also advises employers and trade unions in addressing health and safety concerns in the workplace.

#### Dispute Resolution Process

The process has two steps. First, parties unable to achieve an agreement in direct negotiations must meet with a conciliation officer before they resort to the economic sanction of a strike or lock-out. During this stage, an officer enters the negotiations and employs mediation techniques in an effort to bring parties to settlement. Should the parties fail to effect total agreement, a report is made to the minister recommending whether or not a board of conciliation be appointed.

Although the use of boards of conciliation after the conciliation officer stage is an alternative under the Act to the establishment of a strike/lock-out deadline, few have been appointed in recent years. Subject to ministerial policy, they remain as important tools to deal with disputes involving public service, pattern-setting industries and contentious first agreements. If it is recommended that a board not be appointed, a 'no board' report is issued establishing a legal strike or lock-out deadline, which occurs 14 days following receipt of the notification to the parties.

During this period, the mediation service maintains contact with both parties keeping them aware of the availability of further mediation assistance.

The second step - mediation - is an informal one in which the services of a mediator are made available to the parties at any point in negotiations following the conciliation officer's report. While the techniques of mediation are similar to those of conciliation, the intensive nature of this assistance, the pressure of a strike/lock-out deadline or ongoing work stoppage and the personal persuasive abilities of a senior mediator are additional factors.

#### Preventive Process

The main preventive mediation areas are the Relationship Improvement Program, the joint training of supervisors and union stewards, and assistance in establishing joint action committees.

The Relationship Improvement Program is designed to do exactly that - improve union-management relations. It is a two or three-day seminar approach and is an adaptation of the concepts of Relationship by Objectives (RBO), which has been used extensively since 1975 and has proved effective in the promotion, development and maintenance of sound relationships between employers and unions.

The focal point of the training program is joint problem solving. Working in close consultation with both parties, OCMS mediators determine their needs and design a training program to include the study of attitudes, communications, leadership, grievance administration, and roles and responsibilities.

The establishment of a joint action labour-management committee is recommended in situations where the relationship would be assisted by a vehicle for regular formal communication. This may be applicable in a particular area or industry or in an individual plant. Resources are made available to assist the parties to establish and structure such a committee.

There are a number of other preventive mediation activities:

- From the time of certification, the progress of first agreement negotiations is followed so that assistance can be offered where it appears that a fledgling relationship is encountering difficulty.
- Negotiations following a 'no-board' report are closely monitored so that parties are aware of the mediation services available to them and can have access to a mediator without delay at this critical period.
- Under the Act, the minister may appoint a disputes advisory committee. Such a committee, composed of representatives of labour and management, assists and advises the parties in particularly difficult disputes. The minister can also establish an industrial inquiry commission to examine a range of subjects relating to the bargaining process in that particular industry.
- By keeping a record of the service's experience in specific disputes, early pre-negotiation contact can be made with parties whose previous negotiations were characterized by poor relationships, contentious issues or complex bargaining co-ordination. Mid-contract involvement of mediators, either informally or as special officers under the Act, has the potential of encouraging the parties to work on improving their relationship, dealing with problems underlying recurring negotiation issues and reducing to manageable proportions the issues to be faced during the pressure of negotiations.

### Technical Services

In 1984, the Collective Bargaining Information System was transferred to the Industrial Relations Division. The objective of the system is to provide accurate and current information to unions, management and government services detailing changes in wages, benefits and collective agreement language. This is done through periodic statistical reports and a year end summary.

#### Collective Agreements Library

The primary purpose of the Collective Agreements Library is to bring together, in a central location, collective agreements covering Ontario employees for research by ministry staff and members of the public. The library contains about 8,500 collective agreements covering more than 1,350,000 Ontario employees.

Each year the library staff assists approximately 5,000 visitors to obtain information from the documents on file and responds to a comparable number of telephone requests.

The complement of the Conciliation and Mediation Service at March 31, 1985 consisted of the director, associate director, Technical Services, manager, Occupational Health and Safety Advisory Service, 10 mediators, 20 conciliation officers, two advisors, one research economist, three research supervisors, 17 research and collective bargaining agreement library clerks, and 12 clerical and support staff.

#### 1984/85 Activities/Caseload

During 1984/85, a total of 3,537 collective agreement disputes was referred to conciliation officers. These assignments represented an increase of 1,333, or 60 per cent over the total for last year (Table 1). The officers disposed of 3,289 cases during the year, a 59 per cent increase over last year's dispositions. At year end, 749 cases were still being dealt with by the officers, compared to 501 in 1983/84.

Post-conciliation or mediation assistance was provided in 907 new cases in 1984/85, compared to 817 cases last year (Table 2). The parties reached agreement in 832 of the cases that were disposed of, although 179 of them involved a work stoppage.

Mediators played a preventive role in 71 new cases in 1984/85, compared to 52 in 1983/84 (Table 3).

Table 1

Conciliation Applications Dealt With Under the Ontario Labour Relations Act

	198	4/85	1983	/84
	Disputes	Employees	Disputes	Employees
Assignments Received				
by Officers	4,038	569,785	2,570	225,600
Carried From Previous Year	501	71,716	366	21,030
Assigned to Officer During Year	3,537	498,069	2,204	204,570
Assignments Disposed of				
by Officers	3,289	484,134	2,069	153,884
Settled by Officer				
Construction Non-construction	64 944	9,562	17	3,943
Non-construction	944	66,084	548	26,135
lo Board	407	20.040	100	4 050
Construction Non-construction	497 1,444	39,842 334,744	196 1,127	1,858 112,244
Referred to Conciliation Board Construction	0	0	0	0
Non-construction	0	0	0	0
apsed or Withdrawn				
Construction	95	8,366	30	,390
Non-construction	245	25,536	151	9,314
Assignments Pending at March 31	749	85,651	501	71,716

Table 2

Remedial Mediation Activity												
	Total	ral s Empls.	1984/ No Work S Invol	1984/85 No Work Stoppage Involved Disputes Empls.	Work Stoppage Involved Disputes Empla	yppage ved Empls.	Total	Empls.	1983/84 No Work Stoppage Involved Disputes Empls.	/84 Stoppage Ived Empls.	Work Stoppage Involved Disputes Empli	oppage lved Empls.
Assignments Received by Officers	1,066	233, 183	797	178,707	269	54,476	186	105,700	785	77,848	202	27,852
Carried Over from Previous Year	159	18,961	116	15,203	43	3,758	170	10,796	134	8,790	36	2,006
Assigned to Officers During Year	206	214,222	681	163,504	226	50,718	817	94,904	651	69,058	166	25,846
Assignments Disposed of by Officers	866	200,215	672	154,475	194	45,740*	828	86,739	699	62,645	159	24,094
Settled During Mediation	678	140,945	546	117,180	132	23,765*	618	59,147	530	46,154	88	12,993
Settled Following Mediation Assistance	154	49,717	107	28,602	47	21,115	154	26,869	06	16,004	64	10,865
Arbitration	9	8,272	9	8,272	1	1	2	49	2	49	t	1
Lapsed	16	870	σ	289	7	581	13	268	6	114	4	154
Closed by Mediator. No Further Action by Parties	12	411	4	132	Φ	279	41	406	38	324	М	82
Assignments Pending at March 31	200	32,968	125	24,232	75	8,736	159	18, 961	116	15, 203	43	3,758

\*includes 3 cases involving 310 employees which were settled by a Disputes Advisory Committee

Table 3
Preventive Mediation Activity

	1984/8	15	1983/8	84
	Situations	Empls.	Situations	Empls.
Assignments Received by Officers	124	32,342	95	25,472
Carried Over From Previous Year	53	18,295	43	16,139
Assigned to Officers During Year	71	14,047	52	9,333
Assignments Disposed of by Officers	55	18,931	42	7,177
Assignments Pending at March 31	69	13,411	53	18,295

#### Office of Arbitration

Jean M. Read Director

The Office of Arbitration assists the minister in carrying out his statutory responsibilities for constituting boards of arbitration and appointing single arbitrators under the Labour Relations Act and the Hospital Labour Disputes Arbitration Act. The office is responsible for the receipt and processing of requests from employers and trade unions for the appointment of arbitrators and nominees to boards of arbitration. This function involves providing administrative services to arbitrators, monitoring the progress of arbitration proceedings and cataloguing arbitration awards for public availability. In association with the Minister of Labour's Labour-Management Advisory Committee, which advises the minister on matters pertaining to arbitration, the office is actively involved in the training of prospective arbitrators. Through its staff of grievance settlement officers, the Office of Arbitration also provides labour and management with grievance mediation services.

The Office of Arbitration also has responsibility for co-ordinating appeals under the Employment Standards Act and boards of inquiry pursuant to the Human Rights Code. The office publishes, and distributes to members of the industrial relations community, a monthly bulletin that summarizes current arbitration awards. Present circulation is approximately 5,000.

## Labour Relations Act

A primary responsibility of the Office of Arbitration is to administer the expedited grievance arbitration procedure under section 45 of the Act. This statutory procedure may be invoked by either party to a collective agreement as an alternative to the arbitration procedure set out in the agreement. Upon receipt of a request under section 45, the minister is required to appoint a single arbitrator, who must commence to hear the dispute within 21 days of the request. The minister may appoint a grievance settlement officer to confer with the parties and attempt to effect a settlement prior to the hearing. Should the dispute proceed to a hearing, the Office of Arbitration endeavours to encourage a timely release of the award.

An advisory committee has been established under section 45 to advise the minister on matters relating to arbitration, particularly with respect to persons qualified to act as arbitrators. The chairman of the committee is the Assistant Deputy Minister, Industrial Relations Division, and its membership comprises three senior management and three senior labour representatives. A major achievement of the advisory committee has been the development of an arbitrator training program, which is administered by the Office of Arbitration and conducted under the quidance of accomplished arbitrators. Under section 44 of the Act, parties who have elected to follow the arbitration procedure in their collective agreement may request the minister to assist them in constituting a board of arbitration. For example, in the event of one party failing to appoint its nominee to the board or the parties' nominees failing to agree on a chairman, the minister, upon request, may make the necessary appointment. Alternatively, at the request of the parties, the Office of Arbitration will supply them with a panel of arbitrators to facilitate their selection of a chairman. On a consensual basis, the services of a grievance settlement officer may also be made available to parties proceeding to arbitration under their collective agreement.

#### Hospital Labour Disputes Arbitration Act

The Hospital Labour Disputes Arbitration Act provides for compulsory arbitration of unresolved collective bargaining disputes between employers and trade unions representing employees in the health care field. Strikes and lock-outs are prohibited. The Office of Arbitration assists in facilitating the system of arbitration under the Act. The Office of Arbitration may arrange the arbitration hearing, notify the parties and their nominees of the date and place of the hearing and monitor the proceedings to ensure that the award is released within a reasonable time after the hearing.

# Employment Standards Appeals

The Office of Arbitration has assumed responsibility for co-ordinating appeal procedures under the Employment Standards Act. This includes employer appeals against orders to pay issued by employment standards officers. The Office of Arbitration handles all administrative procedures with regard to time and venue and ensures that all interested parties have been given due notice of the hearing. Referees appointed to hear these appeals are requested to issue their decisions within three weeks from the date of the final hearing.

#### Human Rights Inquiries

The Office of Arbitration has also been assigned responsibility for assisting the minister to constitute boards of inquiry under the Human Rights Code and co-ordinating hearing arrangements in accordance with the time limits set out in the Code.

## 1984/85 Activities

Under section 45 of the Labour Relations Act, 1,302 single arbitrators were appointed. As a result of the involvement of settlement officers, in 1,392 disputes, 969 were resolved prior to hearing, for a settlement rate of 70 per cent.

Aside from section 45, the minister was involved in the appointment of 293 arbitrators for parties experiencing difficulty establishing a board of arbitration. On 351 occasions, panels of arbitrators were supplied at the request of parties.

Services of grievance settlement officers were provided to parties proceeding to arbitration under their collective agreement in 661 cases. Of this number, 424 were resolved, with 136 cases awaiting mediation. The settlement rate in this area was 80 per cent.

Under the Hospital Labour Disputes Arbitration Act, 108 arbitrators were appointed by the minister. Panels of arbitrators were provided upon request in 98 cases.

Under the Employment Standards Act, 245 referees were appointed through the Office of Arbitration, while 26 boards of enquiry were set up under the Human Rights Code.

The caseload of the Office of Arbitration is more particularly described in Tables 1 and 2 below.

The Office of Arbitration received and catalogued 1,788 awards during fiscal year 1984/85. Awards in the amount of 40,080 pages were purchased by the public.

The complement for 1984/85 was 19, consisting of a director, six grievance settlement officers and 12 clerical and administrative staff.

Table 1 - Mediation Activities during 1983/84 & 1984/85

		1984/8	35		1983/8	4
	(1	our Relati Rights Dis 4 s.45*	sputes)	(Ri	r Relatights Di	
Mediation assignments: - carried over from previous year	4	6	10	42	_	42
- made during current year	661	1392	2053	615	1375	1990
- outstanding at year end	136	79	215	4	6	10
Mediation settlements	424	969	1393	519	964	1483

<sup>\*</sup> Expedited grievance arbitration

Table 2 — Arbitration Activities during 1983/84 and 1984/85

			1984/85						1983/84			
	Empl. Stds. Appeals	Human Rights Bds of	HLDA The Labour Total (Interest Relations Act Disputes)(Rights Disputes)1984/85	The L Relati (Rights	The Labour Relations Act Nights Disputes	Total	Empl. Stds Appeals	Human Rights Bds of	HLDA The Labour Total (Interest) Relations Act Disputes) (Rights Disputes) 1983/84	The L Relatio	The Labour lations Act hts Disputes)	Total 1983/84
				5.44	S.45*	1		Enquiry		5.44	S.45*	
Applications/Requests carried over from previous year	78	9	49	206	105	444	N/A	N/A	N/A	N/A	N/A	N/A
Applications/Requests rec'd during current year	306	65	281	490	2,374	3,516	283	¥	102	4962	2,344	3,225
- Arbitrators/Referees appointed/arranged	245	26	108	293	1,302	1,974	263	30	12	225	1,302	1,832
- Panels provided	×	×	86	351	×	449	×	×	81	261	×	279
- Nominees appointed	×	×	М	0	×	М	×	×	0	2	×	2
Applications/Requests outstanding at year end	151	57	269	317	498	1,292	78	9	49	206	105	444
Awards filed	212	7	55	766	517	1,788	172	9	27	1,097	573	1,875
Total Awards Purchased (# of pages)	×	×	×	×	×	40,080	×	×	×	×	×	38,021
	Legend:	0 - no activity	activity		edxe - *	- expedited grievance arbitration	svance arb	itration				

d: 0 - no activity \* - expedited grievance arbitrat X - not applicable N/A - not available

# Occupational Health and Safety Division

Ann E. Robinson, Ph.D., C.Chem, F.C.I.C. Assistant Deputy Minister

Brian Goodman, B.A., LL.B, LL.M. Executive Director

The Occupational Health and Safety Division seeks to improve worker health and safety in Ontario workplaces by:

- administering the Occupational Health and Safety Act and regulations;
- reviewing existing programs;
- developing new strategies, regulations, guidelines, codes, and hazard alerts to prevent occupational-related injuries and illnesses;
- advising, educating or training (as appropriate) all parties with respect to rights, duties and responsibilities under the legislation.

The assistant deputy minister is responsible for strategic planning with respect to broad policy issues and for external relations relating to the field of occupational health and safety.

The executive director is responsible for the delivery of services by the six branches of the division, operations policy, the Program Development Unit and related administrative program delivery and policy issues.

The complement of the division for 1984/85 was 727.

The division administers the Occupational Health and Safety Act, regulations for construction projects, mines and mining plants, and industrial establishments, and a regulation for firefighters' head protection, and a regulation defining critical injury. The division also administers regulations for the control of exposure to certain toxic substances. In addition to the asbestos, coke oven emissions, lead, mercury and vinyl chloride, isocyanates and silica regulations, noted in last year's annual report, regulations respecting acrylonitrile and benzene became law.

In 1982 notices of the possible regulation of arsenic, formaldehyde, and cadmium, chromium, ethylene oxide and styrene were published. In December 1984 the minister sought advice from the interested parties on options to control worker exposure to mineralogical forms of arsenic in underground mining and milling operations. In March 1985 the ministry distributed an expert panel report on the health effects of formaldehyde. The parties were asked whether the additional information altered their previously stated positions. The cadmium health effects document was circulated for comment in December 1984. A proposed ethylene oxide regulation was published in November 1984. The ministry is proceeding with a voluntary initiative with the boat and reinforced plastics industry, including labour, to control worker exposure to styrene. The program will be carefully monitored by the ministry to ensure that workers are protected.

on July 14, 1984 the minister published notices of possible designation for coal tar products and nickel and its compounds. The briefs received in response to the notice were reviewed.

In May 1984 the minister tabled in the legislature the Report of the Royal Commission on Matters of Health and Safety Arising From the Use of Asbestos in Ontario. In response to commission recommendations, the ministry distributed a revised proposed asbestos regulation on construction projects, in buildings and repair operations. In December 1984 a public meeting was held to review the proposed changes and obtain additional comment. Notices to garage mechanics, plumbers, furnace repairmen and homeowners were distributed.

A regulation extending the Act to teachers was filed on March 30, 1984. From July 1, 1984, the Act applied to university academics and teaching assistants.\* A task force co-sponsored by the Ministries of Agriculture and Food, and Labour was established to report on the hazards faced by those engaged in farming operations, including how those hazards should be controlled. The task force held its first meeting on October 14, 1983 and has continued to meet every three to four weeks. Hearings were held during late 1984 and early 1985. A report is expected during the summer of 1985.

The minister established a multipartite committee chaired by Mr. Paul Hess, Q.C., to advise on the appropriate regulations for health care establishments.

The division consulted with representatives of the diving community and developed a draft regulation to help assure the health and safety of the non-sport diving community.

Discussions continued with representatives of the petroleum industry concerning the drafting of regulations to cover workers engaged in drilling oil and petroleum wells.

The Mining Legislative Review Committee, under the new chairmanship of Mr. Paul Hess, Q.C., has continued to review the mining regulations and has proposed certain changes, which are currently under consideration.

On March 6, 1984 a regulation amending the Regulations for Construction Projects came into force to make sections of the construction regulations apply to all workers engaged in work on elevated or suspended workplaces on building facades. The regulation covers, among other workers, window cleaners. Division task teams continued to work on regulations for window cleaners, roll-over protection and electrical hazards.

During 1984/85 the division continued to administer the Lottery Awards Program. Funding was approved for many significant programs and projects in the area of manpower training and applied research. The minister made awards totalling \$1.2\$ million.

To promote awareness of the Act and regulations in order to encourage compliance, a general guide to the designated substance regulations was published. Summaries of edited legal interpretative opinions concerning the legislation were distributed to interested parties.

Consultation with management also helps to achieve compliance with the legislation and reduce injuries and illnesses. Division staff have continued to work with parties in the workplace to make them aware of their rights, duties and responsibilities.

<sup>\*</sup> The regulation was filed on May 11, 1984.

The Occupational Health and Safety Advisory Service of the Industrial Relations Division, Conciliation and Mediation Services, promotes the internal joint responsibility approach to health and safety by working with the parties in the workplace.

Members of the division work along with other agencies, such as Labour Canada and the Atomic Energy Control Board, that have related interests in complementary legislation. Staff of the division serve as agents of the Atomic Energy Control Board in administering conventional health and safety standards in uranium mines. On July 1, 1984 a regulation under the Atomic Energy Control Act was passed, making the Ontario health and safety legislation applicable in uranium mines, and constituting the Ministry of Labour as the administration and enforcement agency. The ministry is reimbursed by the federal government for the services provided, pursuant to an agreement that was also concluded in 1984/85.

The division also provides information to government agencies on the health effects of various chemicals used in Ontario workplaces, not only those in the mining industry. Occasional visitors from other jurisdictions have been welcomed by the division.

During the 1984/85 fiscal year, a total of 79 appeals were initiated under section 32 of the Occupational Health and Safety Act. Of this total, 71 related to industrial establishments, six to mines and mining plants and two to construction projects. Forty-three of these appeals were launched by employers, while 36 were initiated by workers or trade unions. The status of the 79 appeals may be summarized as follows:

Settled or withdrawn	38
Undergoing mediation	24
Stayed because of a possible prosecution	7
Awaiting grounds	6
Decision rendered	2
Hearing in progress or awaiting decision	2
Total	79

The ministry also received notice from the Provincial Ombudsman that he intended to investigate four complaints that related to the Occupational Health and Safety Division. Of this number, the ministry was subsequently notified by the Ombudsman that two were found by him to be unsupported. The remaining two are still under investigation.

The division commenced publication of an internal newsletter, and two editions were distributed in the fiscal year.

Six division standing committees were established with field representation to provide practical input into the development of legislation and division-wide policy.

### Strategic Policy Unit

The Strategic Policy Unit has a complement of seven, including three scientists, a statistician a policy analyst and an external liaison officer. The unit reports to the assistant deputy minister through its manager.

The mandate of the Strategic Policy Unit includes: establishing policy and setting priorities for control of toxic substances and physical hazards; maintaining external liaisons, developing and administering the use of the work injury information system; analysing trends relating to adverse effects on health to assess effectiveness of existing control measures; and identifying development needs and priorities on the basis of technical, social and economic factors.

To properly address these tasks a number of activities were continued. Issues considered included the preparation of criteria that may be used to assign priorities for control of toxic substances in the workplace; the use of risk assessment; and alternative control strategies to substance-by-substance designation. Routine monitoring activities were implemented, encompassing review of scientific and technical literature. Trends and activities in other jurisdictions were also monitored.

The Strategic Policy Unit reviewed and analysed the final reports of studies of toxic substances. Specific control strategies have been recommended for two generic groups of substances, namely solvents and acute irritants. Further studies have been recommended for three substances, 1,3-butadiene, pentacholorophenol and 2-phenoxyethanol. Background material has been evaluated, and recommendations to initiate a contract study have been made for wood dust.

A brief summary of information about all items on the list of toxic substances, including health effects and main uses, has been prepared for consideration of control strategies. This will assist in evaluating and establishing priorities for the substances appearing on the list.

Routine monitoring activities have disclosed, on occasion, substances not already on the list of toxic substances for which adverse health effects have been reported or may be expected. Background information has been collected and reviewed for such substances so that a determination of whether they should be added to the priority list may be made.

To ensure that contact with and access to officials in other jurisdictions is maintained, an external relations officer has been added to the unit. The Strategic Policy Unit has fostered and extended contacts with other Canadian health and safety agencies, the regulating agencies in the United States such as the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) and with other foreign jurisdictions. Information exchange contacts have been maintained with the secretariat of the European Economic Council, the International Labour Organization (ILO) and the World Health Organization (WHO).

The Strategic Policy Unit has also arranged for officials from other jurisdictions to meet with senior officials within the division to allow for the exchange of ideas and information.

The Strategic Policy Unit provided assistance to the Industrial Accident Prevention Association in the organization of the symposium "Consultative Mechanisms in Occupational Health and Safety - An International Perspective". There was participation of government, labour and industry representatives from the Federal Republic of Germany, Sweden, the United States, other Canadian jurisdictions and the ILO.

The Strategic Policy Unit has also assisted in the preparation of Ontario's responses to conventions and recommendations of the ILO.

The Strategic Policy Unit provides statistical information to the division from the work injury information system on a regular basis and on request. The unit is in the process of upgrading the data on the work injury information system.

The Strategic Policy Unit participated in the Workplace Hazardous Materials Information System by involvement in the Regulatory Implementation Subcommittee, which reports to the Steering Committee. The unit has completed a survey of how occupational health services are currently provided within the province and has commenced a survey of the various education and training programs that are available. These surveys are seen as the first stage in the development of options for future action by the responsible authorities and agencies.

The Strategic Policy Unit has been responsible for preparing responses to two memoranda received from the Advisory Council on Occupational Health and Occupational Safety: Memorandum 83-IV, "New Chemical and Biological Agents in the Workplace: Identification and Control of Carcinogens and Potential Carcinogens" and Memorandum 84-II, "Concerning Reproductive Hazards in the Workplace".

### Program Development Unit

On March 31, 1985 the Program Development Unit had a complement of 15. It reports to the executive director of the Occupational Health and Safety Division through its manager. The unit consists of a group of eight occupational health hazard analysts working under the direction of two project managers, an economic analysis group and an operational policy analyst. The primary responsibility of the economic analysis group is to advise and assist on economic and cost analysis issues in the development of designated substance and other health and safety regulations.

#### 1984/85 Activities

In fiscal year 1984/85 the Program Development Unit completed designated substance regulations for acrylonitrile and benzene and met with officials of the advisory council to discuss the regulation for benzene prior to its completion. Summaries of information received since the public meetings and notices summarizing the changes made were published in November. The Regulations respecting Benzene and Acrylonitrile were filed on November 16, 1984 and published in The Ontario Gazette on December 1, 1984.

Unit staff continued work on the proposed regulations for arsenic and formaldehyde. Staff made field visits to determine the feasibility of specific plants meeting the proposed exposure limits for arsenic. Evaluation of additional information of health effects and exposure levels of underground mine workers was undertaken. A summary of information reviewed and a notice of changes to the proposed regulation were published in December. The minister also requested public comments on the question of inclusion of underground mines in the regulation. The submissions received were reviewed by the end of the fiscal year.

The ministry commissioned a report of an expert panel on formaldehyde to review the health effects of formaldehyde. Submissions commenting on the report were still being received at the end of the fiscal year and were being compiled and analysed by unit staff.

A proposed regulation for ethylene oxide and a revised proposed regulation for asbestos on construction projects were published in November. Prior to the publication of the ethylene oxide regulation, a task force report on a survey of ethylene oxide use in Ontario hospitals was made public. A presentation was made at a public meeting held on the proposed asbestos on construction projects regulation in December, and was followed by a period of extensive consultation with industry and labour.

In addition to the proposed asbestos regulation, unit staff began work with the Construction Safety Association of Ontario on proposed construction regulations for lead, mercury and silica.

A proposed control strategy for solvents was published in December. The comments received on this proposed control strategy and the accompanying working draft regulation are being reviewed.

Unit staff also commenced work on generic regulations for carcinogens and irritants.

Development continued on the designation of chromium and cadmium. Health effects documents for both substances were distributed for public comment. Comments on the cadmium health effects document were received and analysed.

A health effects document for styrene was completed. Notices of possible designation for nickel and coal tar products were published in July 1984 following discussion with industry and labour. Comments on both notices were received, and analysis was begun.

Staff assisted the Standards and Programs Branch to develop training programs for inspectors on administration of the acrylonitrile and benzene regulations.

In addition to working on proposed designated substances, the unit is responsible for developing background information on other occupational health hazards. Background reports prepared by external consultants were completed for epoxy resin systems and chlorine. Copies of reports from previously completed studies on aromatic amines and azo compounds, coal tar pitch volatiles and trimellitic anhydride were made available to the public. A similar report on welding hazards was completed in draft form. The studies report on the nature and extent of worker exposures, workplace monitoring, exposure limits and legislation in other jurisdictions, and societal concerns.

Studies on the hazards of wood dust in the primary, secondary and tertiary wood industries and an industrial hygiene survey of benzidine and benzidine-congener dyes in the leather-tanning, pulp and paper and textile industries were commenced.

The unit assembled preliminary information on health effects and exposure of Ontario workers to wood dust and 1,3-butadiene. Collection of similar information on pentachlorophenol was initiated.

Data sheets for acrylonitrile and benzene were prepared and distributed to the inspectorate.

An explanatory booklet for the designated substance regulations entitled Designated Substances in the Workplace: A General Guide to the Regulations was published. Work continued on explanatory booklets for lead, mercury, isocyanates, silica, acrylonitrile and benzene.

Unit staff compiled and reviewed comments received on a report on the health effects of talc commissioned by the ministry in an effort to develop a control strategy for this substance.

The operational policy analyst participated in the development and implementation of an Occupational Health and Safety Division quarterly newsletter as well as in the development of the division's semi-annual external newsletter.

Operational policies were developed for prosecution procedures and for notification prior to inspections in conjunction with the Division Standing Committee on the Administration and Enforcement of the Act and its Regulations.

A brief was prepared for the agricultural task force in regard to confined space entry, machine guarding, pesticides, roll-over protection systems and falling object protection systems. The brief was based on ministry experience in the construction, industrial and mining sectors.

A draft appeals procedure and a draft complaint investigation policy and procedure were also developed. The operational policy analyst prepared two summaries of edited legal interpretative opinions for distribution to interested parties.

A multilingual pamphlet was developed to advise workers and employers of their rights and responsibilities under section 24 of the Act. This section prohibits reprisals by employers.

Procedures were developed for the Special Studies and Services Branch concerning their role in environmental emergencies involving spills or leakages of chemicals, chemical fires or radioactive materials.

The policy analyst also assisted in the formation of the division standing committees.

The Economic Analysis Section produced monthly reports analysing the relation between labour market conditions and work injury statistics. Background industry profiles were drafted for five industries:

- o Shipbuilding and Boat Repair
- o Plastic Products
- o Wood Industries
- o Furniture and Fixtures
- o Primary Metals

Several jurisdictional comparisons were completed on specific issues, and the section responded to a number of short-term information requests from within the division. Work continued on the framework for in-depth economic analysis of costs associated with toxic substance regulation.

#### Occupational Health Branch

Peter L. Pelmear, MD, FFOM, CCBOM Director

The objective of the Occupational Health Branch is to provide consultation and assistance to the inspectorate, employers and workers on the recognition, evaluation and control of health hazards in the workplace in order to promote a healthful and safe occupational environment for Ontario's workers. The branch therefore provides support services to the inspectorate branches of the Ministry of Labour, the Ministries of the Environment and Health and the Workers' Compensation Board.

The branch participates in the development of standards and guidelines to control harmful exposures in industrial environments that may adversely affect the health of workers. Senior staff have participated in the development of the designated substance regulations and have been largely responsible for the development of the codes. The branch is now engaged in auditing the medical and hygiene aspects of the control programs established under the designated substance regulations, and provides a series of chest X-rays, pulmonary function tests and blood and urine analyses.

The branch's journal, Occupational Health in Ontario, is published under the direction of an editorial board, and is available to libraries and health personnel without charge. Copies may also be purchased through the Government Bookstore. The journal provides the reader with informative insights into new scientific and medical opinions in the field of occupational health.

The Occupational Health Branch is currently in the process of completing an innovative information management system designed to enhance and improve the delivery of the branch's programs and to assist in the preparation of statistical data for many of the current branch research projects. Once complete, the system will link the collective efforts of each branch service into a central data pool and will provide an effective communications network for the numerous regional offices. The system will also be utilized in the evaluation of data for monthly and annual reports used to routinely measure and monitor productivity and efficiency.

The Occupational Health Branch program is initiated and administered through the branch's three services and a resource section, each of which reports to the director through a chief of service.

The branch's complement during fiscal year 1984/85 was 177. This was comprised of:

Administration and Resource Section - the director, a manager of program administration, an administrative assistant, a senior consultant, two physicians, two engineers, a scientist, an audiologist, a biostatistician and 14 support staff.

Medical Service - 16 physicians, 9 nurses, 21 technicians, a liaison officer, a survey organizer, an administrator and 15 support staff.

Hygiene Service - 20 hygienists and one support staff.

Laboratory Service - a chief, a principal scientist, 4 supervisors, 11 scientists, 45 technicians and five support staff.

# 1984/85 Activities

# Resource Section

The Resource Section provides advice on current issues and occupational health problems encountered in the field. It also provides guidance notes and question/answer circulars that address OHB field consultants and division concerns regarding field investigations.

The notifications of new chemicals introduced in Ontario workplaces and submitted to the director as required by section 21 of the Act are handled by the senior consultant and the medical toxicologist. The notifications are toxicologically assessed from the data provided. Where a hazard to the health and safety of workers may exist, further reports and assessments are required. Field visits to notifying companies are also performed to evaluate workers' exposure to the new chemicals. To date, there have been 120 notifications, including 50 in 1984/85.

The two special projects, which commenced in fiscal year 1981/82, involving the assessment of hospital worker exposure to nitrous oxide, halothane and enflurane, and the assessment of worker exposure to formaldehyde, are undergoing statistical analysis.

The Noise and Vibration project, initiated in 1982/83, surveyed a foundry in 1983/84. The statistical analysis of the data from this survey and from a hard rock mine in 1984 continued in fiscal year 1984/85.

The Resource Section assists in the development of codes for designated substances and, in conjunction with the Systems and ADP Branch, is co-ordinating the utilization of a computer system to accommodate all the data received by the OHB. The computer system involves the use of mini-computers, satellite terminals and the Queen's Park data storage facility. The computer is also used by the section for the data analysis of the ongoing research projects.

#### Occupational Health Medical Service

This service has three sections: physicians, nurses and chest clinics. Senior medical and senior nursing consultants are located at Head Office in Toronto, with one senior medical consultant at Kingston. The other consultants are located in field offices, with the inspectorate, in Scarborough, Mississauga, London, Hamilton, Sudbury and Ottawa.

#### Medical Consultants

The medical consultants work with the industrial, construction and mining inspectors as well as with other members of the branch to investigate situations where health hazards may exist, to evaluate occupational health services and to advise on the establishment of medical surveillance programs. The physicians also act as consultants to the Workers' Compensation Board, hospitals and family physicians. The consultants have participated in the branch research projects and in education activities. In total, 683 field visits, 120 joint visits, and 322 air quality comments were done by the medical consultants.

#### Nursing Consultants

The nursing consultants work with industries and institutions to promote occupational health programs where none exist and to encourage the expansion and upgrading of existing programs.

During the 1984/85 fiscal year, the nursing consultants began to audit medical surveillance programs of workers exposed to designated substances and advised on the application of legislation related to these substances.

The year also saw the completion of the collection of health questionnaires for the anaesthetic gas and the formaldehyde projects, 8,406 and 1,777 respectively.

During 1984/85, 407 field visits were made to promote or improve occupational health services or programs. One hundred and eighty-five days were used to complete 642 medical effects questionnaires.

#### Source of Physician and Nursing Visits Requests

Carry over from 1983/84	232
Industrial Health and Safety Branch	167
Occupational Health Branch	71
Construction Health and Safety Branch	1
Workers' Compensation Board	307
Total	778

Physicians Visits	Requests	Field Visits	Outstanding
Carry Over from 83/84	232		
April	63	62	
May	69	81	
June	64	54	
July	48	68	
August	29	80	
September	48	41	
October	31	75	
November	48	60	
December	18	42	
January	26	41	
February	43	51	
March	59	28	
Total	778	683	95

# Source of Nursing Visit Requests

Carry over from 83/84	0	
Industrial Health and Safety Branch	5	
Occupational Health Branch	655	
Workers' Compensation Board	1	
Total	661	

Nursing Visits	Requests	Field Visits	Outstanding
Carry Over from 1983/84	. 0		
April	46	20	
May	64	17	
June	25	21	
July	41	39	
August	37	31	
September	66	34	
October	126	44	
November	31	33	
December	49	35	
January	38	47	
February	45	33	
March	93	53	
Total	661	407	254

# Joint Visits Medical and Hygiene

	Requests	Field Visits	Outstanding
Carry Over from 1983/84	0		
April	14	9	
May	14	9	
June	12	6	
July	16	9	
August	8	14	
September	11	12	
October	7	6	
November	13	9	
December	9	6	
January	4	9	
February	19	11	
March	12	20	
Total	139	120	19

# Summary of Field Visits

Source	Totals
Physicians	683
Nurses	407
Hygienists	1,515
Pre-Development Review (Engineers)	35
Liaison Officer (Chest Services)	24
Occupational Health Laboratory Technicians	1,264
Joint Visits	120
Total Field Visits	4,048

### Chest Clinics

The main efforts of the chest clinic during the 1984/85 fiscal year were completion of the initial phase of a major silicosis research project with McMaster University, completion of a collection of 500 test films for an ILO pneumoconiosis X-ray reading quality control project, adjusting numerous work-flow related matters introduced by the computerization of medical surveillance and completing plans for computerization of the northern chest clinics. Special steps were also taken to ensure that industries within the program were made aware of their responsibilities in the various medical surveillance programs so that any inconsistencies could be more appropriately serviced using local clinics where ministry mobile units could serve for only part of the required procedures.

A total of 500 films were selected at random. These films were from individuals in a healthy control group as well as from workers who were known to have eventually developed pneumoconiosis. They were prepared for a system of periodic evaluation by a Canada-wide panel of physicians who had joined a pneumoconiosis reading quality control program. Computer programs and logistic plans for this operation were finalized. A pilot run will start at the beginning of the next fiscal year.

The first phase of a McMaster--Ministry of Labour silicosis study was completed with four readers making an initial rough selection of all films that were to be read subsequently in detail using the ILO pneumoconiosis code. This work involved the retrieval of large numbers of films both from storage and from the northern chest clinics.

Spirometric tracings were rated throughout the year with a unique grading scheme, which was improved during the current fiscal year after initial experience with a pilot run. This project allows examining physicians to have a readily available estimate of the quality of the tracing from which spirometric values were measured.

A summary of the ILO pneumoconiosis code was placed in all reports sent to physicians. Such a summary had not been previously available, although the reading method had been used throughout the preceding year in the southern chest clinics.

Detailed plans were finalized for computerization throughout the northern clinics. Implementation was expected at the beginning of the next fiscal year.

Considerable effort was also made to continue to improve the quality of X-ray films, to avoid spoilage of films and to improve communications to plant physicians and workers where such spoilage did occur. It was emphasized wherever necessary that the examining physician, as a recipient of radiographic and physiologic reports, was an essential link in any individual plant's medical surveillance program.

# I Southern

#### (a) Chest X-rays

Chest X-ray examinations were carried out mainly for the surveillance of workers exposed to the three designated substances - free silica, asbestos and isocyanates. Smaller numbers of workers exposed to other respiratory hazards, such as beryllium, hard metal (tungsten carbide and cobalt), nepheline syenite and cadmium, continued on the surveillance program started in previous years.

A total of 20,959 workers were examined (Table 1). Of these, 13,718 were in silica exposure, 2,652, in asbestos exposure, 1,886 in combined silica and asbestos exposure, 169 in isocyanate exposure and 2,534 in other respiratory hazards.

Twenty-seven workers were found to have newly developed radiographically suspected silicosis (Table 2).

Newly developed radiographically suspected pulmonary parenchymal asbestosis was found in seven workers (Table 3).

One worker was suspected as having pulmonary malignancy.

Fifty-six workers were diagnosed as having dust effects, i.e. showing an X-ray pattern that was consistent with the earliest possible appearances of pneumoconiosis, but of insufficient degree to make a firm X-ray diagnosis. Such films are re-examined with special attention at appropriate intervals.

During 1984, 467 examinations were done on claimants for evaluation by the  $Advisory\ Committee$  on Occupational Chest Disease.

Chest X-ray Examinations

Table 1

Silica Mines	2,186
Silica Foundry	6,024
Silica Others	5,508
Asbestos	2,652
Asbestos and Silica	1,886
Isocyanates	169
Others	2,534
Total	20,959

Table 2

#### Silicosis

Of 13,791 workers employed in various silica exposures, radiological evidence of silicosis was reported in 64. Twenty-seven of these were newly diagnosed.

	Previously Reported	Newly Diagnosed	Total
Simple Silicosis	36	27	63
Complicated Silicosis	1	0	1
Total	37	27	64

#### Table 3

#### Asbestosis

Of 4,538 asbestos exposed workers examined, radiological evidence of asbestosis was reported in 27. Seven of these cases were discovered in 1984/85.

	Previously Reported	Newly Diagnosed	Total
Asbestos Exposure	11	5	16
Asbestos/Silica Exposure	9	2	11
Total	20	7	27

# (b) Pulmonary Function Tests

The use of forced expiratory spirometry with portable spirometers continues to be one of the mainstays of the surveillance program.

The previously reported respiratory questionnaire and the fairly unique grading system for estimating the quality of spirometric tracings are now fully in use and were found to be of great assistance in making the obtained epidemiological data more accurate.

During the year, the laboratory staff analysed 20,776 spirometric tracings. The significant abnormalities are listed in Table 4. Complex pulmonary function studies at rest and on exercise were done in the Toronto Chest Clinic for the evaluation of 467 claimants to the Workers' Compensation Board.

Table 4
Pulmonary Function Tests

Exposure	Number of	* Significant Abnormalities	
Group	Employees	# Tests	% of Total
Silica Mines	1,832	44	2.4
Silica Foundry	5,954	246	4.1
Silica Others	5,716	225	3.9
Asbestos	2,550	97	3.8
Asbestos/Silica	1,821	73	4.0
Isocyanates	790	30	3.8
Others	2,113	96	4.5
Total	20,776	811	3.9

<sup>\*</sup>Significant abnormalities determined by Crapo et al. Equations are categorized as moderate, moderately severe, severe obstruction or restriction, and combined obstruction with restriction.

# II Northern

A total of 9,529 miners were examined (Table 5); 15 miners were found to have newly developed radiographically suspected silicosis.

The activities, results and findings for both southern and northern clinics are summarized in Table 6.

Table 5
Northern Chest Clinics

Clinical Location	Number of Workers Examined	Number of Chest X-rays	Number of Pulmonary Function Tests
Elliot Lake	2,242	2,549	2,096
Kirkland Lake	780	1,041	736
Sudbury	3,864	5,124	2,590
Timmins	2,643	3,329	2,534
Thunder Bay*	-		and and see
Total	9,529	12,043	7,956

<sup>\*</sup> Figures included in southern chest clinic statistics.

Table 6
Summary (Northern and Southern Chest Clinics)

Activities	
Number of X-rays Number of pulmonary function tests	33,002 28,732
Results and Findings	
New cases of suspected silicosis New cases of suspected asbestosis	42 7
New cases of suspected dust effects	94
New cases of suspected other pneumoconioses Suspected neoplasms	2
Suspected TB	7
Suspected sarcoidosis	14

### Occupational Health Hygiene Service

The chief of service is located at Head Office in Toronto, and the occupational health hygienists in field offices with the inspectorate in Scarborough, Mississauga, Hamilton, London, Windsor, Sudbury and Ottawa. They act as consultants to the inspectorate branches of the Ministry of Labour and may also respond to requests from industry, trade unions, health units and community organizations through the inspectorate and the Workers' Compensation Board.

The service conducts field investigations of chemical, physical and other health hazards, audits exposure of workers to chemical substances and physical agents and recommends corrective action. These field visits are made to identify and evaluate workers' exposures and to recommend control measures for hazardous substances.

Engineering consultants of the service provide advice to the line branches on the quality of engineering controls during the review of plans and drawings submitted for approval and they conduct follow-up engineering investigations. The service has been actively involved with comments on assessments and control programs.

Field visits are generally unannounced, and the consultant is usually accompanied by an inspector from one of the ministry's line branches.

In total, 1,515 field visits, 120 joint visits, 925 air quality comments and 35 pre-development reviews were done by the Hygiene Service staff.

The service has provided significant input in the development of respirator codes for the designated substances. During 1984/85, five such codes were developed and reviewed. The line branch inspectors, at several regional seminars, were subsequently trained in application and use.

#### Source of Hygienist Visit Requests

Carry over from 1983/84	380
Industrial Health and Safety Branch	1,015
Occupational Health Branch	304
Construction Health and Safety Branch	5
Workers' Compensation Board	173
Companies	1
Administration	0
Other	31
Total	1,909

Hygienists Visits	Requests	Field Visits	Outstanding
Carry Over from 1983/84	380		
April	146	102	
May	109	124	
June	85	131	
July	127	120	
August	93	148	
September	86	100	
October	148	144	
November	164	136	
December	112	99	
January	115	154	
February	195	122	
March	149	135	
Total	1,909	1,515	394

#### Occupational Health Laboratory

The laboratory provides analytical and air sampling services to the medical and hygiene services of the branch. Analyses are also requested by physicians, health units, the Workers' Compensation Board and other government agencies.

Approximately 38 per cent of analyses are of blood and urine samples collected from workers exposed to hazardous substances; these samples are collected as part of medical surveillance programs. Analyses include determination of lead in blood, mercury in urine and cholinesterase in blood samples.

Analyses of filtering media used during air sampling procedures or of material samples of unknown identity or composition account for the remainder of the laboratory's caseload.

In this year approximately 39 per cent of all analyses were directly or indirectly related to the nine designated substances for which regulations have been filed.

Some new analytical methods were developed and many old ones were reviewed and improved. This enabled the laboratory to keep abreast of the technical requirements of air quality assessments in general, and to analyse and identify new occupational health hazards.

A total of 1,264 field visits were made by the occupational health technicians to sample the exposure levels of workers to chemical substances and physical agents at the request of branch consultants. They have also participated in the branch research projects.

The service has developed the codes for air sampling and analyses for designated substances regulations; has advised on procedures to deal with methods equivalent to those in the codes; has maintained a proficiency testing program with private laboratories for air samples generated in the laboratory; has maintained and expanded a similar proficiency testing program for clinical samples; and has extended its existing program to computerize all analytical data generated. The computerization, in particular, has allowed more efficient recall of past data and greater flexibility in statistical manipulations of data to determine hazardous occupations.

# Environmental Assessment Requests

Carry over from 1983/84 Industrial Health and Safety Branch Occupational Health Branch	415 1 1,087
Total	1,503

Environmental Assessments	Requests	Field Visits	Outstanding
Carry Over	415		
April	91	100	
May	111	142	
June	77	118	
July	103	108	
August	61	121	
September	64	81	
October	91	102	
November	127	94	
December	75	70	
January	94	139	
February	94	100	
March	100	89	
Total	1,503	1,264	239

# Summary of Analyses

Clinical Samples Materials Samples Air Samples Physical Agents	31,899 2,482 39,075 10,804
Total Number of Analyses	84,260
Samples sent to Private Laboratories for Proficiency Testing	946

Analyses	Physical Agents	Air Samples	Bulk Samples	Clinical Samples	Total
Acrylonitrile	0	129	15	0	144
Asbestos	1,105	8	400	0	1,513
Benzene	0	246	21	0	267
Benzene Solubles	0	345	0	0	345
Cristobalite	0	12	0	0	12
Isocyanates	0	2,266	15	0	2,281
Lead	0	1,328	68	22,102	23,498
Mercury	0	192	6	3,032	3,230
Silica (Quartz)	0	1,102	242	0	1,344
Vinyl Chloride	0	205	3	0	208
Other	9,699	33,242	1,712	6,765	51,418
Total	10,804	39,075	2,482	31,899	84,260

# Materials: Summary of Source

IHSB	152	Special Surveys	49
ОНВ	617	Ministry of Health	4
MHSB	54	Solicitor General	1
CHSB	44	CSAO	1
Health Units	22	Other	2
		Total	946

# Construction Health and Safety Branch

D.M. Pizak, P. Eng Director

The Construction Health and Safety Branch is responsible for encouraging construction employers and workers to implement the most appropriate measures and procedures that would reduce the incidence of accidents and illnesses associated with construction operations across the province. The branch administers and enforces the requirements of the Occupational Health and Safety Act, R.S.O. 1980, C.321 and Regulations for Construction Projects. This legislation applies to a dynamic industry with a work force estimated to be 243,000 during the fiscal year 1984/85. The industry encompasses activities such as erection, alteration, repair and demolition of buildings and structures, the construction of shafts and tunnels, including work in compressed air, on highways, railways, sewers and watermains and working with conductors of electrical energy, solids, liquids or gases. The branch is also responsible for ensuring that workers engaged in window cleaning operations comply with legislation enacted during the fiscal year 1983/84.

Officials of the branch engage in continuous dialogue with the construction industry by pre-construction consultations, consultation in the workplace during construction and by active participation at meetings convened by district and regional health and safety committees. Both labour and management in the construction industry have recognized the advantages of working co-operatively with the branch to advance the principles contained in the Act and construction regulations. They have established district and regional committees comprising labour and management representatives from a variety of construction trades. Their focal point is the Provincial Labour-Management Health and Safety Committee based in Toronto. The branch director attends monthly meetings of this committee and takes an active role in assisting its members in their understanding of the Act and Regulations for Construction Projects. He also presents the ministry's views on health and safety in the construction industry. In addition, he attends quarterly meetings of joint regional/provincial health and safety committees. Branch officials at all levels similarly participate at monthly meetings of local district and regional health and safety committees.

Officers of the branch inspect construction projects at regular intervals. When potential health or safety hazards are identified, every effort is made to encourage workers and management representatives to correct problems. They are directed to comply with the legislation in order to eliminate the hazards. However, other strategies, including prosecutions, are sometimes necessary to obtain compliance, particularly when the identified hazards could result in serious or fatal injuries to workers. Consultations on projects afford workers who do not have union affiliation with opportunities to understand the specific requirements of the legislation.

The branch investigates the circumstances related to fatal, critical and serious accidents. The branch also investigates "near misses" involving the use of heavy equipment and machinery where no personal injuries are sustained. It is also the policy of the branch to investigate every complaint concerning construction activity regardless of the nature of the

complaint and without revealing the identity of the complainant. Branch officials investigate situations where workers refuse work that they consider to be a danger to their health and safety. During 1984/85, the branch received two notices of work refusals.

# Branch Organization

The branch is organized into four subdivisions for purposes of administration, with the director centrally located in Head Office. He is assisted by a senior consultant, three regional administrators and a Manager of Program Administration. The three administrators are responsible for the operational activities of local district construction safety managers, who supervise teams of construction safety officers within each of the three regions. A specialist team responsible for inspecting underground construction operations throughout the province is located in the Head Office. Regional engineers provide a technical consultation service to line managers and officers within the region to which they have been assigned. The senior consultant and manager of program administration provide technical and administrative support to the director and line staff of the branch.

On March 31, 1985 the Construction Health and Safety Branch had a total complement of 110 staff, comprising one director, three regional administrators, 16 district managers, four regional engineers, 73 field inspectors, five technical administrative management and eight clerical support staff.

# 1984/85 Activities

During the 1984/85 fiscal year, construction health and safety officers completed 55,726 inspections of construction projects, a decrease of about 10.05 per cent from the previous 1983/84 fiscal year. A total of 23,552 orders were issued during these inspections, compared with 24,687 during the previous fiscal year. Included in the total number of inspections were 1,015 inspections of 188 underground projects. A total of 397 orders were issued during these underground inspections.

Although there has been a declining trend in the occurrence of fatal accidents in construction since the existing legislation was enacted in 1978/79, there has been an increase in fatal accidents occurring during certain intervening years that is a matter of concern to the branch. During 1978/79 and 1981/82, 37 fatalities occurred, 25 during 1983/84, and 31 during the current fiscal year 1984/85.

During the year, the branch undertook a review of its management information requirements, which resulted in a recommendation for a revised management information system. The revised system would permit the branch to provide additional assistance to the construction industry. One important feature of the new system will be the compilation of statistics on accident causal analysis. A mechanism will then be created for the development of strategies for prevention of accidents. In addition, the new system will permit the branch to prepare case histories and other related bulletins on accidents. This information will be shared with the construction industry. Increased awareness of the requirements of the legislation by a larger segment of the industry could result in a reduction of health and safety hazards in the construction workplace.

Underground Project Inspection Summary April 1, 1984 to March 31, 1985

	Projects under Inspection	Completed during year	C/F to next year	Less Less than 60°	Length of Tunnel feet Less 60" than diam. 60" and diam.	Projects under Compressed Air	No. of Inspecs.	No. of Directs.	No. of Inspections with no Directions
Long funnels Jacked & Bored funnels	137 26	104	33	4,491	11,724	-	899	366	705
Other underground structures	25	14	=	1	1	ı	44	4	40
Totals	188	130	58	7,217	11,864	-	1,015	397	794
Projects Under Compressed Air April 1, 1984 to March 31, 1985	essed Air ch 31, 1985								
		Pressure		No. of De	No. of Decompressions			No. of	No. of Cases of
No. Location	uo	Min. Ma	Max。	Shift Workers	Supervisors Etc.		Totai	Decompres	Decompression Sickness
84/117 Ajax		4	gran gada	96	40		136		ı
Totals		4	=	%	40		136		1

#### Legislation Review

The branch is undertaking an ongoing legislative review process. During the fiscal year 1984/85, the branch prepared a second draft of amendments to the Regulations for Construction Projects after receiving comments from sectors of the construction industry on an earlier draft. It is expected that a final draft will be completed and promulgated during the fiscal year 1985/86.

Inspection and Fatality Data	1984/85	1983/84
Complement	110	114
Workers in the Work Force	243,000	248,500
Projects/Establishments	11,545	10,727
Non-Fatal Accidents Reported	8,663	9,547
Accidents Investigated	838	834
Fatalities Investigated	31	25
Refusals to Work Investigated	2	Nil
Complaints Investigated	1,256	1,113
Inspections	55,726	61,954
Orders Issued	23,552	24,687
Repeat Orders	3,425	3,511
Stop Work Orders Issued	615	563
Consultations	905	601
Case Prosecutions	238	309
Convictions	199	261
Fines	\$260,091	\$274,235
Revenue	Nil	Nil

#### Industrial Health and Safety Branch

W.S. Melinyshyn, P. Eng Director

The Industrial Health and Safety Branch is responsible for ensuring implementation of effective occupational health and safety programs designed to reduce the incidence of illness or injury caused by industrial activities and processes across the province. The branch administers and enforces the Occupational Health and Safety Act and Regulations for Industrial Establishments, and the Designated Substance Regulations.

The Act applies to an estimated 3.3 million workers in more than 150,000 industrial establishments/institutions in this province, including those employed in industry, logging, hospitals, schools, colleges, universities, police, fire, detention and correctional institutions, transportation and municipalities.

Officers of the branch inspect workplaces at various intervals and always in conjunction with a system supporting self-regulation and involvement by labour and management. Employers and employees themselves have the primary responsibility of occupational health and safety programs in their workplaces, and are encouraged to meet their individual responsibilities.

The branch conducts investigations into deaths, critical injuries, serious accidents and complaints about working conditions as well as into

situations where workers refuse to work because they have reason to believe that their health or safety is endangered and they have been unable to resolve the issue with the employer and worker representatives.

The increasing use of toxic chemicals and agents in the workplace requires careful monitoring to establish controls of potential health hazards. The branch, in co-operation with the Occupational Health Branch, arranges health surveys of establishments where these particular hazards may occur and, based upon the findings, takes appropriate action. The branch officials devote particular attention to the implementation of the designated substance regulations as they become law.

Professional engineers on staff with the branch review drawings of new industrial buildings or proposed alterations to existing structures and provide professional technical expertise to ensure compliance with the Act and regulations.

On March 31, 1985 the Industrial Health and Safety Branch had a staff of 175, including one director, 164 field staff and 10 support staff.

#### 1984/85 Activities

During the year, officials of the Industrial Health and Safety Branch completed 40,445 inspections, 6,040 investigations and issued a total of 50,643 orders. The number of fatalities in establishments under the branch's jursidiction decreased from 48 to 46. Of these, 38 occurred in industrial workplaces and eight occurred at logging operations.

#### Hazard Alerts

The Industrial Health and Safety Branch has adopted a system of Hazard Alerts specifically directed at certain areas causing problems. Areas where alerts have been issued during the fiscal year 1984/85 are:

- 1) Toxic Fumes from Welding on Surfaces with Protective Coatings
- 2) Waste Shredder Compactor
- 3) Lathe Turnings
- 4) Road Tanker Explosion
- 5) Explosion of Tires During Repair

#### Data Base Expansion

The branch has developed a computerized system to enhance its ability to register new companies by utilizing Workers' Compensation Board computer file data. Full implementation and cyclical inspections will begin in the 1985/86 fiscal year.

# Designated Substance Initial Information Package

While earlier procedures provided for telephoning employers to inform them of the coming into effect of new designated substance regulations, a more efficient approach was developed to inform potential users and to stimulate early compliance. The procedure for handling newly designated substance regulations now provides for the distribution of an Initial Information Package to the workplace. The package consists of an introductory letter, which outlines the basic requirements of the new regulation, a compliance notification questionnaire and a copy of the regulation. This procedure was implemented when the regulations for benzene and acrylonitrile became law on November 16, 1984.

# Designated Substance Monitoring

The branch computer system was expanded in 1984 to incorporate compliance information on designated substance workplaces. Reports can now be produced listing the compliance status in each workplace known to the branch to be using a designated substance. These monthly reports now serve as a management tool for the inspectorate as well as a source of statistical information.

Analysis of Non-Fatal Accident Reports

# (Industrial Health and Safety Branch 1984/85 Files)

Accident Group	Numbe Indus Establi	trial	Produ	er of action oyees	Number Accide Report	ents
Nil	50,374	(6,080)	408,812	(118,149)	-	_
1-5	14,535	(3,994)	453,391	(206,788)	27,629	(8,847)
Over 5	3,277	(2,166)	635,940	(511, 719)	58,109	(45, 354)
Total	68,186	(12,240)	1,498,143	(836,656)	85,738	(54,201)

(Figures in brackets refer to unionized industrial establishments)

Inspection and Fatality Data	1984/85	1983/84
Complement	175	177
* Workers in the Employed Labour Force	3,300,000	2,900,000
Projects/Establishments	150,000	150,000
Non-Fatal Accidents Reported	85,738	83,993
Accidents Investigated	874	849
Fatalities Investigated	46	48
Refusals to Work Investigated	281	131
Complaints Investigated	1,016**	109
Telphone Enquiries	54,165	N/A
Consultations	882	N/A
Appearance at Inquest or Trial	218	N/A
Other Investigations	3,815	4,146
Inspections	40,445	38,014
Orders Issued	50,643	48,881
Repeat Orders	5,418	4,876
Stop Work Orders Issued	924	840
Pre-Development Review (Plans Review)	2,659	2,236
Case Prosecutions	91	88
Convictions	50	67
Fines	\$144,250	\$214,025
Revenue	\$611,113	\$611,113

<sup>\*</sup> Updated work force figures - Source: Statistics Canada Labour Force Report (July 1984) and Employment, Earnings and Hours Report (August 1984).

#### \*\*Note: 1984/85 Statistics

The manual system of reporting has been replaced by computer reporting. The coding system has been refined and expanded to accommodate all field activities.

### Mining Health and Safety Branch

# P.B. McCrodan, P. Eng Director

The Mining Health and Safety Branch encourages employers and workers in the mining industry to prevent accidents and health problems through co-operative identification and control of health and safety hazards in mining and mine-related workplaces in Ontario.

The branch's activities apply to 160 underground mines, 65 open-pit mines, 6,315 sand and gravel pits and quarries, 63 metallurgical and ore processing plants and 55 clay, shale and peat workings. These establishments employ approximately 46,669 people.

The branch administers the Occupational Health and Safety Act, R.S.O. 1980, C.321, Revised Regulations of Ontario 569/83 for Mines and Mining Plants, and designated substances regulations.

The Mining Health and Safety Branch has a complement of 91, including nine mine rescue training officers. This complement of 91 engineers, inspectors, technicians, mine rescue training officers and clerical support staff covers four engineering disciplines - mining, electrical-mechanical, working environment and metallurgy.

### 1984/85 Activities

The branch's programs promote safe work conditions, practices and measures to minimize health and safety hazards in the mining environment. They are carried out within a complex framework of inspections, investigations and consultations.

#### Inspection Program

The inspection program is an ongoing program to audit compliance with the Act and regulations.

All active workplaces in all operations are inspected for compliance. Types of operations inspected are:

Type of Operation as of March 31, 1984	Active Operations	No. of Employees
Mines	160	23,945
Open Pits	65	1,901
Quarries	398	3,195
Metallurgical Plants	30	7,788
Metallurgical Labs	11	445
Clay and Shale Pits	34	99
Peat Workings	21	61
Sand and Gravel Pits	5,917	8,726
Diamond Drilling	38	147
Aggregate Plants	22	362
Brine Wells	1	-
Total	6,697	46,669

Many pits are worked only on an intermittent basis, and so would not be inspected regularly throughout the year. The objective is to visit each mine three times per year; sand and gravel pits are checked twice per year and inspected if they are found active; other operations are inspected two or three times per year.

In 1984/85, 4,930 inspections were made.

Orders are issued when contraventions have been identified.

In 1984/85, 4,690 orders were issued.

Orders are followed up to ensure compliance and prosecutions undertaken where appropriate.

# Investigation Program

The Mining Health and Safety Branch carries out investigations of all fatal accidents, serious accidents, unusual occurrences, refusals to work and other occupational health and safety complaints from workers in the mining sector. Ministry staff may be reached 24 hours a day to investigate fatalities, serious accidents or refusals to work.

All fatalities are investigated, and detailed reports of the investigations are published. During the fiscal year 1984/85, 15 fatalities were investigated.

The branch has developed a computer program to collect and analyse data on the types of non-fatal injuries reported and/or the cause of serious accidents and unusual occurrences.

The branch investigates cases of refusals to work that have been reported to them by employers, workers or their representatives. There were 24 investigations into work refusals in 1984/85. The branch staff also investigates other complaints concerning unsafe or unhealthy conditions.

### Legislation Review

Legislation is under continual review as a result of investigations into critical injuries and fatalities. The Regulations for Mines and Mining Plants are closely scrutinized for technical currency, consistency and applicability by the branch's engineering staff, not only as a result of investigations, but as a result of pre-development reviews of employers' projects and engineering reviews of mines and plants.

The Ministry of Labour maintains the Mining Legislative Review Committee to regularly review the regulations and to make recommendations for revisions to the Minister of Labour. The committee consists of an equal number of representatives from the mining industry and the labour unions and is chaired by Mr. P. Hess, Q.C., formerly director of the ministry's Legal Branch, who has extensive experience in drafting legislation. The committee meets as required to discuss proposed changes. During 1984/85, 74 new or revised sections of the regulations were recommended to the minister, filed and gazetted.

The continued functioning of the committee has given Ontario a mechanism for maintaining its mining health and safety regulations in a technically current and up-dated form on an ongoing basis. With strong input from both the industry and labour representatives, the legislation has achieved a high level of acceptance and credibility, and has become a model that other jurisdictions in Canada and abroad are using for their own legislation.

#### Wire Rope Testing

By statute, all wire rope used in hoisting installations must be tested by the Government of Ontario Wire Rope Testing Laboratory before use and at intervals during service. Each wire rope is examined for corrosion and lubrication and tested for wire ductility and total wire rope strength. There are three tensile machines available to the laboratory for these breaking tests, a 600,000-pound machine in the Whitney Block, Toronto, and 400,000 and 1,000,000-pound machines at the University of Toronto. During 1984/85, the laboratory completed 948 tests.

### Environmental Surveys

In 1984/85 ministry inspectors conducted 51 surveys and 491 inspection/audits. Nine inspectors, specializing in environmental health, conduct surveys twice yearly at each mine. Measurements are made for total dust, silica, oxygen, carbon monoxide, sulphur dioxide, diesel emissions, heavy metal, noise, etc. During 1984/85, the ministry conducted a study of exposure to arsenic in selected underground mines in Ontario. In addition to these activities the ministry inspectors audit company data on workplace concentrations of designated substances and toxic substances.

### Education and Guidance - Regulation Modules

The Mining Health and Safety Branch provides, through formal and informal discussions, education and guidance on health and safety matters to employers and employees in the mining industry.

The branch prepares Information Sheets and Hazard Alerts, which serve as supplementary explanatory material on the regulations for use by branch inspectors and by the mining industry.

The Mining Health and Safety Branch is developing training materials dealing with various aspects of the Occupational Health and Safety Act and Regulations for Mines and Mining Plants. These modular sound-slide programs are available for use in the training of supervisors, members of health and safety committees and worker inspectors. The first 30 modules are being used and evaluated by industry and labour. The final stage of this project, which will involve the production of nine new modules, will be completed by July 31, 1985. A review of all modules, with input from labour and management, will be undertaken in 1986.

This program is being developed in conjunction with the Mines Accident Prevention Association of Ontario (MAPAO), and in consultation with the mining unions.

The modules are being made available to labour and management in the industry through the Mines Accident Prevention Association of Ontario (MAPAO).

#### Predevelopment Review

The mining regulations of the Occupational Health and Safety Act specify that the Mining Health and Safety Branch director must receive notification of all new developments or construction, introduction of new process technology, use of new methods of construction or of equipment installation, major alterations of mining techniques or technology or the making of major additions or alterations. Branch staff then review the plans to reduce the possibility of built-in occupational health and safety hazards. Employees receive notification of the new developments at the same time as the director.

### Mine Rescue Program

This program trains specialists at each mine in the direction and control of special mine rescue procedures.

The director of the Mining Health and Safety Branch has overall responsibility for the mine rescue program in Ontario. The training officers maintain a number of stations and substations equipped with breathing apparatus and firefighting equipment, as well as other emergency equipment and supplies, to respond immediately to any mine emergency. Mine rescue training officers train specialists at each mine in the direction and control of special mine rescue procedures.

The Mine Rescue Program aims to maintain a high level of preparedness for dealing with mine catastrophes through training of rescue teams and maintenance of rescue equipment.

This program is funded by assessment on the mining industry through the Workers' Compensation Board.

Eight mine rescue training officers and a senior officer divide their time between training new miners in mine rescue techniques, holding refresher training courses to keep active mine rescue personnel prepared to handle rescue emergencies and fires, checking and maintaining mine rescue breathing apparatus in manned and unmanned rescue stations and holding mine rescue competitions to allow trained rescue personnel to test their preparedness.

During 1984/85, 670 men participated in the mine rescue training program, and 28 seven-man teams competed in eight district mine rescue competitions. Twenty-five fires were responded to in addition to many calls to be on the alert for emergencies or fire drills.

In 1984 there were 701 active men in training and 189 supervisors. This involved 704 eight-hour training days, 6,162 eight-hour man-days of training. This total does not include extra district and provincial competition training or emergency assistance.

The branch will be improving its emergency preparedness capabilities for non-fire emergencies. New equipment for monitoring and locating trapped miners is being considered for acquisition along with lifting bags, special jacks and low profile portable cutting and prying equipment.

### Hazard Identification and Elimination Program

The purpose of this ongoing program is to establish priorities relating to occupational health and safety hazards in mines and mining plants and to develop strategies to minimize such hazards. The branch reviews all serious and recurring incidents, identifies causes and takes whatever remedial action thought to be appropriate.

Hazards Alerts, which are short-illustrated warnings about a hazard or improper practice, are published in co-operation with the Mines Accident Prevention Association of Ontario (MAPAO) at a frequency of one every two months. These alerts address topics such as portable compressors, surface working faces and mine hoist brakes.

#### Recommendations of the Burkett Commission

The branch is continuing to act upon the commission's recommendations, many of which involve ongoing efforts on the part of the Mining Health and Safety Branch and the mining industry. The minister received recommendations from a labour-management committee appointed to determine what issues should be addressed in a follow-up inquiry.

Recommendations pertaining to ground control and emergency preparedness were given to an advisory committee appointed by the minister to investigate all related matters and to recommend specific action by industry and governments to reduce hazards to workers and to take effective action in emergency situations.

The Ministry of Labour held three meetings with union representatives, the Ontario Mining Association and the Mines Accident Prevention Association (MAPAO). Following receipt and analysis of submissions from the interested parties, the minister will determine what kind of follow-up should be conducted with respect to those few Burkett recommendations that have yet to be fully implemented.

#### Jurisdiction in Uranium Mines

A federal-provincial agreement was reached this year that provides uranium miners in the province with the same occupational health and safety protection as that applying to other Ontario miners. Prior to this agreement, uranium miners, who are under federal jurisdiction, were subject to different conventional health and safety regulations than were all other Ontario miners, who are under provincial jurisdiction. The Ontario Ministry of Labour will now provide inspection, administrative, enforcement and related services in uranium mining facilities in Ontario in relation to the regulations on behalf of the federal government.

#### Joint Activities with Outside Agencies

The branch has entered into a number of joint initiatives with outside agencies. These initiatives include a) a diesel emissions program, b) a mine rescue program, and c) a wire rope testing program. These activities involve the sharing of information with outside agencies both in Canada and elsewhere. Currently, a United States Bureau of Mines/CANMET/Ministry of Labour agreement is being negotiated on ground control to improve the transfer of technology and to allow each group to contribute to subjects of mutual interest such as rockbursting, monitoring, instrumentation development and evaluation.

# Mining Health and Safety Data

# Statistics from April 1, 1984 - March 31, 1985

	1984/85	1983/84
Complement	91	91
Number of Workers	46,669	53,084
in Mines	37,943	43,994
in Sand and Gravel Pits	8,726	9,090
Number of Underground Mines	160	159
Number of Surface Mines	65	64
Number of Pits and Quarries	6,315	6,024
Number of Metallurgical and Ore Processing Plants	63	62
Number of Clay, Shale and Peat Workings	55	53
Number of Inspection Reports	4,930	5,210
Total Inspection Hours Spent Investigating Complaints	1,918	2,009
Total Inspection Hours Spent on Pre-Development Review	10,098	12,150
Number of Orders Issued	4,690	5,005
Number of Stop Work Orders	127	56
Prosecution Cases	4	1
Number of Convictions	3	1
Value of Fines Collected	\$4,603	\$ 5,000
Refusals to Work Investigated	25	7
Number of Mine Rescue Stations	8	8
Number of Mine Rescue Substations	31	31
Miners Under Training in Mine Rescue	670*	877
Wire Rope Tests	948	939
Non Fatal Accidents Reported in Mines	1,554	1,759
* Pits and Quarries	329*	286
Number of Serious Accident Investigations	56	110
Number of Fatalities	15	9
Underground	14	6
Surface	_	1
Metallurgical	-	1
Sand and Gravel Pits	1	1
Quarries	-	_
Revenue		
Wire Rope Testing	\$177,500	\$159,200

<sup>\*</sup> These figures are for the period January 1 - December 31.

#### Special Studies and Services Branch

Geoffrey R. Wright, P. Eng., Ph.D. Director

This branch is concerned primarily with programs to prevent occupational illness and injury. Its responsibilities are:

- to support the development of divisional regulatory strategies by:
  - (a) acting as a resource to the division on the long-term health effects of exposure to various toxic or hazardous agents;
  - (b) keeping abreast of world literature on the causes and prevention of occupationally-related diseases and injuries;
- to carry out short or long-term investigations of health problems associated with occupational exposure to hazardous agents;
- to evaluate the health of particular groups of workers, such as uranium miners and workers exposed to silica or asbestos;
- to conduct and/or sponsor research related to problems of occupational exposure to hazardous agents and to evaluate the health status of exposed workers;
- to monitor the use of radioactive materials insofar as the province has jurisdiction;
- to conduct studies and research in the area of occupational safety, and to act as a resource in matters relating to the safety of work procedures;
- to assist in preparing contingency plans by providing technical support and planning for emergencies relating to nuclear generating stations.

Activities and services to meet the branch objective are conducted by four separate, but interrelated, services: Health Studies Service, Safety Studies Service, Radiation Protection Service and Radiation Protection Laboratory.

On March 31, 1985 the Special Studies and Services Branch had a complement of 77: Radiation Protection Service, 21, Radiation Protection Laboratory, 22, Health Studies Service, 22, Safety Studies Service, eight, and Administration, four.

### 1984/85 Activities

# Health Studies Service

This service provides information and consultation on the possible long-term health effects of various agents associated with industrial processes, and makes recommendations for levels of exposure in industry.

The service co-operates with other branches as well as with the Workers' Compensation Board, the Ministry of the Environment, the Ministry of Health, the Atomic Energy Control Board and other groups concerned with the health of workers and the effects of industrial pollution on the general community. Three studies were completed in 1984/85.

A major activity of the service is the preparation of health effects documents on chemicals either proposed for designation or under review by the Ministry of Labour. Five health effects documents were prepared in 1984/85.

Support for other ministries, particularly the Ministries of the Environment and Health, and for medical officers of health, consists of the provision of advice on toxic effects, mainly for population groups exposed to chemical or physical agents in air or drinking water. Twenty-one health criteria reports were prepared in 1984/85 for the Ministry of the Environment. Also, advice was provided on emergency situations to the Ministry of the Environment.

The service has a complement of nine medical consultants, two statisticians, three scientific consultants and eight support staff.

# Safety Studies Service

This service undertakes multidisciplinary research of factors that contribute to occupational accidents and diseases. Its staff includes six professionals representing engineering, ergonomics, biomechanics, applied physiology, and psychology. This multidisciplinary approach allows insight into the short and long-term effects of various actions, procedures, equipment and environmental factors in the workplace. Staff act in a consultative capacity for the line branches by preparing technical reports following work site visits and by giving seminars on safety related topics. Research objectives are formulated to provide information on applied problems in order to reduce occupational injuries and diseases within the province. The objectives are achieved through the combined use of existing information and self initiated data collection. The information obtained is disseminated through the consultative role of the service, seminars and in published format.

Some areas of study activity include commercial diving, manual materials handling, repetitive strain injury, shiftwork, heat stress, degenerative disease of the lumbar spine, fall protection, physically disabled individuals and the ergonomic considerations of office work, including visual display terminals.

Particular activities of the service include:

- work site visits related to: the safe lifting of objects, proper design and use of hand tools, and occupational stress and office ergonomics.
- development of technical material related to: commercial diving regulations, and psychomotor performance.

Seminars have been presented on:

- stress reduction;
- work physiology;
- ergonomics;
- ergonomic design of the office environment;
- heat stress;
- repetitive strain injury.

### Radiation Protection Service

The service's responsibility is to protect the public from unnecessary exposure to radiation in working and living environments in the province's jurisdiction. In addition, all scientific and technical staff in the Radiation Protection Service perform key functions in the provincial nuclear off-site contingency plan, which would be put into effect in the event of an accident at a nuclear reactor facility.

Ongoing programs of the service during 1984/85 have been:

- safety inspection of X-ray installations in industry, education and veterinary practice (115 X-ray facilities inspected, and 79 plans checked for adequacy of radiation shielding);
- safety inspection of commercial microwave ovens (437 ovens checked for radiation leakage);
- on behalf of the Ministry of Housing, measurements of radon daughter concentrations occurring in newly constructed houses in Elliot Lake and Bancroft for compliance with a standard in O/Reg 555/78 under the Building Code Act (one new house was checked; 1,024 houses, rechecked);
- investigation and follow-up of two cases of possible X-ray over-exposure, and monitoring of 69 instances of high personal dosimeter readings;
- 107 visits were made to conduct safety inspections of 62 locations where some form of non-ionizing radiation was being used (radio frequencies, microwaves, ultra-violet light, laser devices). A number of these locations were indentified in a survey conducted in previous years.
- inspection of a number of locations for radioisotopic contamination on request;
- technical and operational planning for possible releases of radioactive material from nuclear power plants or transportation accidents involving radioisotope shipments;
- maintenance of a network of 82 environmental radioactivity monitors to access the impact of a release from a reactor in Ontario or from U.S. reactors in close proximity to this province. Includes quarterly exchange and readout of detectors from the 82 environmental monitors;
- maintenance of environmental radioactivity data on computer to allow rapid access to records in the event of a release from a nuclear installation;
- providing advice, information and assistance to industry, government agencies and the public on all aspects of radiation protection.

Work has continued in the development of new methods of measurement, evaluation of new instruments, construction of special instruments, maintenance and calibration of equipment and development of instrument calibration facilities with a view to more complete, reliable and faster evaluation of radiological hazards.

A revised draft has been prepared of a new X-ray Safety Regulation. It has been circulated for comments from interested parties.

Investigation and assessment of new radiation hazards, particularly the various forms of non-ionizing radiation, has continued.

# Radiation Protection Laboratory

This laboratory provides a capability for the analysis of a wide range of radioactive substances, and serves all provincial agencies charged with the responsibility for programs associated with the surveillance of uranium mining, milling and processing plants, nuclear reactors and other facilities that use radioactive isotopes.

The laboratory provides technical advice to provincial agencies and to industry on establishing or improving their analytical capability, on interpreting results and on designing surveillance programs. Methodology development and improvement is a continuous process.

During the year, a total of 23,137 measurements were carried out for these various programs.

A breakdown of the measurements carried out on the various types of samples is shown in the following Table:

Type of Samples Analysed During 1984/85

Ty	pe of Sample	No. of Measurements
1.	Water	10,027
2.	Air filter	5,778
3.	Air filter extracts	2,266
4.	Urine	2,202
5.	Swipes	1,160
6.	Milk	420
7.	Dust/sediment	350
8.	Precipitation	201
9.	Fish	200
10.	Tritium cells	158
11.	Radon daughter counting equipment	126
12.	Blood, hair, tissue	79
13.	Air	58
14.	Foodstuff	30
15.	Radioiodine cartridges	23
16.	Miscellaneous	
	Total	23,137

Work on the development of methodology continued and included improving the procedures for,

- sampling carbon-14 and tritium around nuclear reactor facilities;
- measuring uranium and thorium by anion exchange and alpa spectrometry techniques;
- measuring alpha and beta emitters by liquid scintillation counting;
- carrying out statistical analyses on laboratory data;
- measuring alpha and beta emitters using a recently developed ten-planchet counter system.

A total of 1,708 measurements were carried out in support of the Ministry of the Environment's International Joint Commission Great Lakes surveillance program.

Interlaboratory comparison measurements were carried out regularly during the year between the United States Environmental Protection Agency, the International Atomic Energy Agency and the Atomic Energy Control Board.

The laboratory has a complement of 22, which includes scientists, technicians and support staff.

#### Standards and Programs Branch

Alan D. Heath Director

The responsibilities of this branch are to assemble and analyse data on workplace hazards other than toxic substances, to co-ordinate the development of programs to control the exposure of workers to hazards in specific economic sectors and to co-ordinate the development and evaluation of Occupational Health and Safety Division policies and programs on behalf of the executive director.

On March 31, 1985 the branch had a complement of 61.

#### 1984/85 Activities

In fiscal year 1984/85 staff within the branch:

- consulted with and provided technical support to firefighters, fire chiefs and relevant agencies regarding development of regulations for protective equipment for firefighters;
- continued to train the Ministry of Labour inspectorate in the administration of the Regulation Respecting Protective Equipment for Fire Fighters and the Ontario Code for the Head Protection of Fire Fighters;
- reviewed the revised Part IV of the Ontario Fire Code;
- published Ontario Regulation 307/84 extending the Occupational Health and Safety Act to university academics and teaching assistants;
- published Ontario Regulation 191/84 extending the Occupational Health and Safety Act to teachers;
- participated in the deliberations of the Ontario Police Health and Safety Committee;
- participated in the drafting of material for a Regulation for Health Care Facilities. The Health Care Occupational Health and Safety Regulation Development committee has been established by the minister for this purpose. This committee comprises representatives from labour and management;
- revised the Proposed Regulation for Underwater Diving to reflect comments of interested and affected parties. Prepared final draft of regulation for submission to cabinet;
- chaired division standing committee to prepare a core regulation that will apply to extended coverage workplaces;

- chaired a division task force to develop a regulatory strategy for window cleaners;
- participated in development of a regulation for roll-over protective structures;
- participated on committees developing training strategies and personal protective equipment requirements for Ministry of Labour inspectorate;
- continued to assist in and co-ordinate the development and preparation of improved Managing By Results (MBR) objectives, indicators and measures for all program areas in the division;
- provided assistance in the development of an acceptable MBR reporting process for the Canadian Institute for Radiation Safety (CAIRS), a joint federally and provincially funded institute;
- co-ordinated the development and preparation of the 1985/86 estimates planning submission for the Occupational Health and Safety Division;
- continued to provide planning support, specifically in terms of statistical data, to all staff in the division working on developing controls for toxic substances;
- prepared a status report on recommendations made to the minister by the Advisory Council on Occupational Health and Occupational Safety;
- provided input into the working groups of the Workplace Hazardous Materials Information System Project, a tripartite national effort to develop an information and training system for labelling hazardous substances in the workplace;
- co-ordinated the development of improved monthly report formats for the Special Studies and Services Branch, the Standards and Programs Branch and the Occupational Health Branch;
- assisted in the preparation of documentation related to the Occupational Health Branch computer system (MESU) for presentation to Management Board of Cabinet;
- provided statistical assistance on special projects, such as the second pesticides survey and the development of improved prosecution statistics compilation;
- provided assistance to division branches for ongoing fiscal planning and budgeting review;
- provided assistance to the division Steering Committee on Information Systems, specifically in terms of the registration of new employers project;
- provided support to the Office of the Executive Director in the ongoing review and analysis of division positions, vacancies and salary dollars for the position reconciliation project;
- continued to provide support to the line branches by: maintaining the editing, coding and processing functions of Inspection Reports, Notice of Projects and Employer's Report of Accidental Injury or Industrial Disease; maintaining the Industrial, Construction and Mining Health and Safety Branch filing system and providing information to the inspectorate for follow-up on inspections and investigations;
- continued to provide administrative support to various units within the division through the operation of a word processing centre;
- continued to operate the occupational health and safety information line;

- developed and maintained an inventory control system of division publications and forms used by the inspectorate;
- developed and distributed process flow sheets for processes in which the designated substances are used;
- co-ordinated and delivered to staff of the ministry, seminars and training materials on designated substances regulations made under the Occupational Health and Safety Act;
- developed and presented training sessions on pesticides to the ministry inspectorate. Developed video training programs on silica, air sampling, media relations, machine guarding;
- developed Computer Assisted Interactive Video Training Program for benzene;
- trained new Industrial Health and Safety Branch inspectors and co-ordinated development and presentation of training sessions for the Ministry of Labour Provincial Offences officers;
- continued to co-ordinate the revisions to the Operations Manuals for Industrial Health and Safety, Construction Health and Safety and Mining Health and Safety Branches. Assisted in the development of a Construction Health and Safety Branch Manager's Operations Manual;
- represented the Ministry of Labour on the Occupational Health Committee of the Canada Safety Council;
- participated in review of the Regulation for Construction Projects;
- continued review of regulations addressing electrical hazards and window cleaning operations;
- delivered Act Review Seminars to Construction Health and Safety, Mining Health and Safety, and Special Studies and Services Branches;
- participated in the review of Transportation of Dangerous Goods legislation;
- participated in the development of "Serving You" video programs with Ministry of Government Services, for presentation on cable television;
- developed Hazard Alerts on <u>Asbestos for Vehicle Repair Shops</u> and <u>Workers</u> Working on Pipes and Boilers;
- co-ordinated with Program Development Unit, Occupational Health Branch and Occupational Health and Safety Division line branches the plans for conducting engineering survey programs and preparation of the necessary information on five substances considered for designation. The information is compiled by Program Development Unit analysts for submission to the division's Legislative Review Committee;
- conducted engineering field surveys to evaluate the ability of industry to control exposures to hazardous substances considered for designation by means of engineering controls; these included cadmium, chromium, nickel, ethylene oxide, and coal tar products;
- served on the Standing Committee on Administration and Enforcement of the Act. The committee prepared the report on Occupational Health and Safety Division policy for conducting field inspections;
- continued to actively participate in the Small Firms Committee looking into the occupational health and safety needs of small business;
- participated in the Tri-Ministerial Advisory Committee on Occupational Health and Safety. The committee functions as an advisory body to the Ontario Council of Regents;

- provided liaison and consultation with Ontario ministries relating to education/training and matters pertaining to the Occupational Health and Safety Act;
- provided responses to inquiries from other jurisdictions relating to training, education and legislation;
- co-ordinated and staffed information displays and booths at conventions, conferences and public exhibitions;
- maintained close liaison with the provincial resource centres and organizations involved in training and education in occupational health and safety;
- provided a video tape/film loan service for division staff and clients as well as printed material in response to inquiries;
- continued to provide administrative support in the allocation of Provincial Lottery funds for manpower training and development, and applied research projects and student bursaries;
- participated in a committee developing teaching modules in occupational health and safety for delivery to secondary school students;
- co-ordinated a training program in cardio-pulmonary resuscitation and first aid for ministry staff;
- participated in the establishment of the Employee Assistance Program in the ministry;
- participated in a committee developing a program on drug and alcohol abuse for delivery to workers by either employers or employees;
- participated in an educational committee developing video tape productions on school laboratory safety for use by teachers and students in Ontario secondary schools;
- assisted with the development of, and printed, a multilingual advice card for workers and employers regarding unlawful reprisals under the Occupational Health and Safety Act;
- conducted seminars and made in-class presentations to students in community colleges and secondary schools, as requested.

# Labour Policy and Programs

Dr. Alan D. Wolfson Assistant Deputy Minister

The Assistant Deputy Minister of Labour Policy and Programs is responsible for the ministry's policy development activities and new legislative initiatives, and monitors existing programs and policies to determine their effectiveness. This includes overseeing the ministry's Policy Branch, which has a mandate to initiate, develop and co-ordinate policy activities as well as to co-ordinate and prepare ministerial correspondence and liaise with other ministries.

The assistant deputy minister is also responsible for the activities of the Employment Standards Branch, the Plant Closure Review and Employment Adjustment Branch, the Handicapped Employment Program and the Office of the Co-ordinator of French Language Services.

#### Employment Standards Branch

John Scott Director

The Employment Standards Branch seeks to ensure that employees in Ontario are protected by minimum standards of employment, covering wages and working conditions. To achieve this objective the branch resolves claims of non-compliance from employees, and promotes, with employers, compliance with the employment standards and working conditions set out in the following legislation:

- the Employment Standards Act
- the Industrial Standards Act
- the Fair Wage Schedules on contracts let by the provincial government
- the Employment Agencies Act

The branch is organized into two field administrative areas, each comprising five investigative regions, plus the following head office sections:

- legislative interpretation and telephone inquiries
- management information and program development
- working conditions and analysis
- employment agencies and industrial standards
- the director's office and administration

The 153 positions include 79 field officers and resident auditors. Approximately 50 of the staff are based in regional offices located in Hamilton, Kitchener, London, Ottawa and Sudbury, or in various sub-offices.

### 1984/85 Activities

### Employment Standards Act - General

The primary aim of the Employment Standards Act is to ensure that all employees, particularly those that are not organized, are protected with respect to minimum wages and working conditions.

The branch resolves claims made by employees and also conducts preventive inspections of selected employer populations across the province.

Through public speaking engagements, special seminars conducted on employers' premises, advertising, and distribution of literature, employers are encouraged to comply with the legislation on a voluntary basis.

# General Inquiries and Information

The branch received and responded to 726,614 general telephone inquiries, of which 321,757 were handled by the field regions and the remainder by the head office Telephone Inquiries section and the electronic telephone message system. Many of these calls eventually resulted in a claim. In addition, 29,185 personal interviews were conducted on ministry premises and 3,226 general inquiry letters were responded to.

During 1984/85, the branch staff were involved in 203 seminars and public appearances, of which 32 dealt primarily with equal pay for equal work legislation, and the balance with the Employment Standards Act in general. The functions were attended by 2,612 employers, 608 employees, 1,751 students and 436 mixed or non-identified participants, for a total of 5,407 in attendance.

There were 37 presentations made to management and staff of individual companies, 15 were arranged with community colleges (for business groups), 29 with business associations and unions, 49 for students in secondary and post-secondary schools, 45 with government agencies, five with legal groups and the balance of 23 with various community centres, non-profit groups, etc.

Approximately 150,000 copies of the  $\underline{\text{Guide to the Employment Standards Act}}$  and 20,000 copies of the Act itself were distributed to the interested public.

#### Investigative Activity

In the fiscal year ended March 31, 1985 the branch registered 18,903 new claim files. Resolutions were achieved in 18,091 old and new cases covering 22,012 claimants. The average length of service from date of receipt to resolution was 59 days, with 40 per cent finalized within the first 30 days. In addition, 321 preventive inspections were carried out.

As a result of the branch's investigative activity, \$9,671,853 was collected on behalf of 24,549 employees. The average payment to an employee was \$388 in respect of a claim file investigation and \$560 from a preventive inspection.

Comparative information by employment standard is provided in the "Collections by Standard" table, following the description of the branch activities and responsibilities.

Although the collection results show as zero against the newest standard, lie detectors, one investigation was conducted in that regard, and no violation was found.

# Appeals and Hearings

The Employment Standards Act provides for a review of an order made against an employer by an employment standards officer. The appeal is heard by a referee selected from a panel of referees appointed by a minister.

Two hundred and eighty-two applications were received during the current fiscal year. Two hundred and sixty-eight applications for review of an order both from the current and previous year were finalized. In 73 of these files, settlement was reached prior to a hearing; in the 195 appeals heard by a referee, the officer's order was affirmed in 113, varied in 49 and rescinded in 33.

A referee may also be appointed by the director to hold a hearing into situations where the director is of the opinion that an act, agreement or arrangement has been made to defeat the purpose of the Employment Standards Act. Such action was initiated in 11 cases this fiscal year, and 12 were carried over from the prior year. Of the 12 cases finalized, the employer was found to be in violation in six and in compliance in four. Two cases were settled outside of the hearing process.

### Working Conditions and Analysis

This section provides analytical and research support pertaining to employment standards policy and program issues. Labour data information services are also offered to the public.

Reviews carried out during the fiscal year included the harvest minimum wage, sunsetting of the Agricultural Industry Advisory Committee and coverage of household domestics under Regulation 283 (Domestics and Nannies). Surveys of the fur and ambulance service industries were completed, the former to update information for purposes of the Industrial Standards schedule and the latter to gain a current understanding of working conditions of employees. A study of excess hours permits issued in 1983 was also initiated and a paper was completed for the Brown Inquiry on Wage Protection concerning wage protection approaches taken in other jurisdictions. Other activities included participation in an inter-ministerial committee examining pension issues related to the Charter of Rights and drafting responses concerning various International Labour Organization conventions, recommendations and questionnaires.

# Agricultural Industry Advisory Committee

This committee advises the Minister of Labour on matters relating to the application of employment standards legislation to agricultural workers, and the development and modification of employment standards appropriate to the agricultural industry and its different sectors. The committee is composed of representatives of both farm owners and farm workers. In 1984/85 it met once to advise on increasing the harvest minimum wage.

# Industrial Standards Act

The Industrial Standards Act permits employees and employers to jointly request a schedule of working conditions for their particular industry. When a schedule has been prepared and accepted by both groups and has been approved by the ministry, the working conditions set out in the schedule become the standard for that industry or trade in a designated zone.

The schedules made under the Industrial Standards Act are administered by an advisory committee consisting of representatives from labour and management. All matters are subject to the approval of the director of the Employment Standards Branch. During 1984/85, proposals were received to update three schedules, and these are currently under review.

There are presently four advisory committees, all in the garment industry and all with province-wide schedules. They apply to the Fur, Ladies' Cloak and Suit, Ladies' Dress and Sportswear and Men's and Boy's Clothing industries.

These four industries manufacture products that are inter-provincially competitive, and because of this, the advisory committees are authorized to assess employers and employees in order to provide funds for administering and enforcing their schedules. Each committee provides its members with financial statements and a general report on committee activities on an annual basis.

### Fair Wage Schedule on Government Contracts

The Fair Wage Schedule on government contracts ensures fair labour rates for employees working on government projects in the construction, building-cleaning and security industries, and protects contractors from unfair competition based on reduced labour costs when bidding on government contracts. Before tenders are invited for specific projects, a government ministry must obtain guidelines from the Employment Standards Branch on the minimum wage rates for each job classification and the maximum hours of work.

During 1984/85, fair wage provisions were included in 792 contracts, which had an estimated value of about \$276,661,087.

#### Employment Agencies Act

The purpose of the Employment Agencies Act is to provide for the licensing and regulation of employment agencies in Ontario. 'Employment Agency' is defined, in part, under the Act, as the business of procuring for a fee, reward or other remuneration, persons for employment or employment for persons.

Class A employment agencies are prohibited from charging a fee for any service rendered to any person procured for employment. In classes B, C and D the persons for whom work is found may be charged a fee not greater than the limitations in regulations under the Act.

In 1984/85 the branch continued its participation in a review of the operating practices of employment agencies with respect to allegations that discrimination was being practised by some members of this industry.

# Investigative Activity

	Claim Files		Preventive Inspections		Total	
	1983/84	1984/85	1983/84	1984/85	1983/84	1984/85
Workload:						
Pending from Prior						
Fiscal Year	2,122	2,002	-	-	2,122	2,002
Registered/Assigned	17,541	18,903	672	321	18,213	19,224
Total	19,663	20 905	672	321	20,335	21,226
Resolved/Conducted	17,425	18,091	672	321	18,097	18,412
Results:						
Number of Collections	11,093	11,657	116	56	11,209	11,713
Employees Benefited	24,492	23,768	1,090	781	25,582	24,549
Amount Collected						
(\$000¹s)	9,973.6	9,226.7	132.4	445.1	10,106.0	9,671.8
Outstanding End of						
Fiscal Year	2,002	2,434	-	-	2,002	2,434

# Collections by Standard

	Amount Collected		No. of Collections by Individual		Employees Benefited Financially by	
	\$	\$	Standard		Individual Standard	
	1983/84	1984/85	1983/84	1984/85	1983/84	1984/85
Minimum Wage	104,675	116,613	391	484	756	1,264
Overtime	767,361	990,934	1,086	1,161	3,186	3,932
	445	248,036	641	711	2,081	2,090
Leave	43,021	32,181	30	18	30	18
Lie Detector*	-	-		-	-	-
Termination Pay Benefits During	2,364,270	1,978,508	2,971	2,409	4,248	3,686
Notice Period	6,908	3,435	18	16	21	43
Severance Pay	678,463	850,492	9	15	175	516
Collection of Wages Fair Wage on	2,048,988	2,144,617	4,967	5,450	7,154	7,668
Gov't. Contracts	22,254	43,472	11	11	73	86
Industrial Standards	-	-	-	-	-	-
Total	10,105,901	9,671,853	18,649	18,881	37,401	37,106

<sup>\*</sup> Came into effect December 2, 1983

# General Inquiry and Information Activity

	1983/84	1984/85
Telephone Inquiries (Non-Claim) Handled	641,716	726,614
Letter Inquiries (Non-Claim) Responded to	3,284	3,226
Personal Interviews Held	28,203	29,185
Total	673,203	759,025
Public Appearances and Employer Education Seminars Held	160	203
Number in Attendance	5,890	5,407

# Appeals (Section 50)

	1983/84	1984/85
Pending from Prior		
Fiscal Year	171	166
Intake	265	282
Results		
Order Confirmed	132	113
Employer Upheld	27	33
Order Varied	38	49
Settled Before		
Hearing	73	73
Total	270	268
Outstanding End of		
Fiscal Year	166	1 80

# Hearings (Section 51)

	1983/84	1984/85
Pending from Prior		
Fiscal Year	16	12
Initiated	10	11
Results		
Employer Found in		
Violation	2	6
Employer Found in		
Compliance	3	4
Settled Outside of		
Hearing	9	2
Total	14	12
Outstanding End of		
Fiscal Year	12	1.1

# Court Action

	1983/84	1984/85
Prosecutions Finalized	1*	4
Section 54 Certificates	285	221
Section 59 Court Orders Filed	20)	221

# Permits

	1983/84	1984/85
Overtime Permits - Total	569*	683
100 Hour	294	374
Special	275*	309
Handicap Work Permits	71	76
Homeworker Permits	138*	125

<sup>\*</sup> Revised

# **Employment Agency Licences**

	Init	ial	Ren	ewal	Total	
Class	1983/84	1984/85	1983/84	1984/85	1983/84	1984/85
A	131	128	638	664	769	792
В	2	1	10	10	12	11
С	_	-	1	1	1	1
D	_	2	19	15	19	17
Total	133	131	668	690	801	821
Revenue					\$160,700*	\$167,350

<sup>\*</sup>Revised

# Industrial Standards

	1983/84	1984/85
Number of Active Schedules	4	4
Number Updated	2	-
Number Covered by Schedules		
Employers	400	400
Employees	8,300	8,300

# Fair Wage Schedules

	Number		Value (\$)	
	1983/84	1984/85	1983/84	1984/85
Schedules Included in Contracts Let by Provincial Ministries				
Construction	698	586	409.864.709	266,616,900
Building Cleaning and Security	110	206	2,292,406	10,044,187
Total	808	792	412,157,115	276,661,087
Schedules Updated	91	54	N/A	N/A

#### Plant Closure Review and Employment Adjustment Branch

Robert D. Joyce Special Advisor to the Minister Harry N. Shardlow Director

Robert D. Joyce was appointed as the Special Advisor to the Minister on employment adjustment problems in October 1980. The Plant Closure Review and Employment Adjustment Branch was formed in November 1980 to support the government's initiatives on layoffs and plant closures as well as to carry on the activities of the former Employment Adjustment Service.

#### 1984/85 Activities

The branch's mandate is:

- to become aware of any announced or impending plant closure or major reduction of operation as soon as possible;
- to make contact with companies considering closure, and also with the employee representatives or unions;
- to obtain information about the closures and to advise the government on the possibility of maintaining the operation;
- where the closure is unavoidable, to attempt to resolve any disagreements concerning termination rights and benefits;
- to co-ordinate the involvement of the Ministries of Colleges and Universities, Intergovernmental Affairs, Industry and Trade, and Community and Social Services on a particular closure situation. This ensures that available Ontario Government programs are focused effectively on the needs of those affected by the closure.

Ongoing activities of the branch include:

- monitoring large layoffs and terminations;
- exchanging information and maintaining contact with other provincial and federal government agencies;
- advising employees and employers of the requirements of the termination legislation;
- assessing the need for, and participation in, the establishment of adjustment committees.

The branch's Employee Counselling Program was developed in 1981 to provide employees affected by permanent job loss (especially due to plant closures) with professional assistance in the areas of job search techniques, career assessment, access to retraining, retirement counselling, financial counselling, and so on.

The program is primarily aimed at assisting victims of large-scale permanent job loss resulting from the closure of their employer's place of business, although the program is also offered in selected non-closure situations involving permanent job loss.

The program comprises both group and individual counselling sessions that normally take place over a one-week period. In a very large situation, several groups can be handled concurrently using a staff of counsellors.

The programs are delivered by the staff of the community college in the area in which the closure occurred and, although all programs follow a similar format, each one is tailored to the needs of the employees involved.

The branch works closely with the Industrial Adjustment Service of the Canada Employment and Immigration Commission. The Ministry of Labour is a financial contributor to manpower assessment and incentive agreements, which support manpower adjustment committees in layoff situations (see following Table summarizing the statistics concerning the terminations and the use of these committees). The committees consist of employee and management representatives and an independent chairman. Their role is to assist employees affected by large scale terminations to become re-employed.

The branch currently has five full-time staff.

Statistics on Terminations	1983/84	1984/85	
Termination Cases Involving 50 or More Employees			
Cases: Full Closures	51	43	
Partial Closures	12	13	
Reduced Operations	61	61	
Totals	124	117	
Employees: Full Closures	5,311	4,917	
Partial Closures	1,765	1,834	
Reduced Operations	8,452	8,010	
Totals	15,528	14,761	
Manpower Adjustment Committees			
Committees Established	63	66	
Employees Terminated in Cases Where Committees Were			
Established	7,069	9,457	
Financial Commitment	\$78,375	\$61,575	
Counselling Program			
Programs Established	26	22	
Employees Counselled	1,541	1,100	

#### Handicapped Employment Program

#### Janette Higgins Acting Manager

The Handicapped Employment Program (HEP) was established in September 1978 to assist the private sector to increase the hiring, retention, re-employment and career advancement of people with disabilities and to provide practical advice to employers taking steps to remove barriers and to promote equal opportunity.

HEP has a complement of eight permanent staff, including one acting manager, four consultants, two information clerks and one clerk/stenographer. Several job creation programs were utilized during 1984/85 to augment the program's staff resources.

#### 1984/85 Activities

#### Employer Consulting Services

HEP offers an ongoing consulting service to employers who are developing equal opportunity programs. During 1984/85, HEP has had contact records for 209 employers across the province. Consultants encourage the development of effective action plans and promote union/management co-operation to ensure program success. The program provides information kits and technical advice on recommended employer activities; arranges awareness seminars; facilitates training sessions to support in-place programs and sponsors or co-sponsors community conferences on the employment of disabled persons.

Positive personnel practices have been introduced by many employers who have attracted applicants with disabilities through: outreach recruitment, introduction of retention and re-hiring policies for employees who become disabled, review of hiring practices to ensure that disabled persons are not screened out of employment or promotion opportunities, analysis of the essential physical demands of jobs, and assessment and modification, if necessary, of the accessibility of facilities.

#### Community Initiatives

A major HEP initiative has been to develop models for local action aimed at co-ordinating employment-related resources already existing in communities across the province. By providing communities with staff expertise, and sometimes conference funding, HEP has been able to impact favourably on the local development of multi-faceted approaches, including increased pro-active employer involvement around issues that impact on increasing employment opportunities for persons who are disabled. HEP also facilitates the use of job creation programs to provide staffing for these community projects.

Grants for conferences were provided in 1984/85 to five communities: Barrie/Simcoe County, North Bay, Sault Ste. Marie, Thunder Bay and Sudbury. In all, 14 communities have been involved in a variety of conferences, seminars and other activities directed towards increasing employment opportunities.

In addition to these 14 community projects, HEP has utilized job creation programs to sponsor projects through agencies and organizations in 17 communities around the province over the past five years for a total of 31 communities. Sixteen communities had benefit of such projects in 1984/85.

#### Resource Centre and Information Services

In order to stimulate and support employment initiatives, HEP provides, through its Resource Centre, a variety of information packages, resource materials and links to local sources of expertise. As well, two display units, attended by information officers, are available for events across the province. In addition to assisting employers and disabled job-seekers, staff assist with provision of information and awareness sessions for social service agencies, educators, health and rehabilitation professionals, organized labour and the public.

The program has responded to approximately 3,000 telephone requests and 600 written requests for advice and information. During 1984/85, HEP provided 1,724 kits, 187 posters, 15,147 brochures and 8,023 pieces of other promotional material to its client groups. These materials include over 300 pieces of information regarding employment, which were given to disabled job-seekers. The program also has three films/videos, which were lent out a total of 54 times. The program gave out over 700 promotional buttons, 200 bookmarks and 300 carrier bags at conferences, workshops, seminars and trade shows.

New and/or revised publications include: <u>Disabled Job-Seeker</u> kits; <u>Employer</u> kits; An Employer's Guide to Learning Disabilities; <u>Job Matching: The Assessment of Individuals for Work; and Employment Aids for Persons with Visual Disabilities.</u>

Community Resource Guides for Employers are available for Barrie/Simcoe County, Peterborough, Hamilton, Waterloo and the Niagara Region.

The program participated in, and disseminated information at, a total of 56 conferences, seminars and workshops across the province in 1984/85.

#### Job-Seekers

Although the Handicapped Employment Program is not a placement service, HEP does assist job-seekers with disabilities to access the current labour market. In 1984/85 it assisted 224 job-seekers who either phoned or came into the program seeking advice. Information officers have provided over 300 resumes of job-seekers who are disabled to the Ministry's Personnel Department. Utilizing a networking system, they respond to employer requests for disabled employees, by referring them to potential placement sources, (within and without government) and/or directly inform the job-seeker that a position exists. A summary of the results of a questionnaire distributed to job-seekers with disabilities is in production and will be available by early summer.

# Outreach to: Health, Rehabilitation and Agency Professionals, Educators and Organized Labour

Recognizing the key roles played by health, rehabilitation and agency professionals and by educators and organized labour in the employment of persons with disabilities, HEP has developed outreach initiatives to meet

the specialized needs of each target group. Programs and materials have been created in ongoing consultation and co-operation with the representatives involved. The focus has been on developing awareness of issues related to the employment of those who are disabled; increasing linkages between each target group and their community resources; involving representatives from each area in local activities; and undertaking research projects to provide greater information to each sector. These initiatives will support the vital roles played by the sectors and will supply the essential resources needed to provide effective and positive employment-oriented activities within each community. To accomplish this, HEP is presently working with 13 health and rehabilitation professional groups and 27 service agencies. It has held two feedback sessions with representatives of all these groups, including government and groups of persons with disabilities, following distribution of the discussion paper, Job Matching: The Assessment of Individuals for Work. This feedback process will continue in the new fiscal year. In addition, there have been two HEP-sponsored workshops, held under the auspices of community projects, specifically designed for educators. HEP also provided services to nine labour organizations/councils in support of their initiatives.

#### Job Creation Programs

Several job creation programs have been utilized in order to promote work experience for young people, with an emphasis on those who are disabled.

In 1984/85 a total of 77 students and youths (43 of whom have disabilities) worked on 57 projects, sponsored by employers, agencies, colleges and universities, municipalities, community groups and the provincial government across the province. Under the HEP-sponsored Ontario Youth Corps (OYC) program 36 per cent of the participants, all of whom had disabilities, were successful in finding permanent employment.

#### Office of the Co-ordinator of French Language Services

Stephane Grenon Co-ordinator

Since September 1981 the Co-ordinator of French Language Services has been a full-time position reporting to the Assistant Deputy Minister, Labour Policy and Programs, with duties divided between the Ministry of Labour and the Workers' Compensation Board.

The co-ordinator assists francophone groups, other organizations and the public at large with information about the ministry programs and services. He assists ministry managers in the implementation of the ministry's French language services policy and chairs a ministry advisory committee on French language services.

The Office of the Co-ordinator of French Language Services has a complement of two: one co-ordinator and one secretary.

Policy Branch

Douglas G. Gilbert\*
Director

The Policy Branch develops, co-ordinates and provides analytical support for policy activities in the ministry. It is responsible for conducting basic research and preparing policy documents required in the policy development process. The branch monitors issues arising from the administration of ministry programs and legislation and acts as a liaison with other ministries and government agencies.

The branch consists of two sections. The Labour Economics section is responsible for identifying and analysing trends in employment, settlement information, changes in the workplace and other developments in the labour market, which may have implications for ministry policies and programs. The Labour Legislation section is responsible for addressing issues and problems which arise under the ministry's employment standards, collective bargaining, human rights and workers' compensation legislation.

The Policy Branch has a complement of 11 professional and six clerical and support staff.

<sup>\*</sup> Douglas Gilbert was appointed director, effective November 1, 1984.

## Finance and Administration Division

D.A. Anderson\*
Acting Executive Director

The Finance and Administration Division is responsible for providing administrative support for the operating branches of the ministry. The support activities consist of accounting services, administrative operations, communications, internal audit, management planning, personnel, and data processing systems.

#### Management Planning Branch

# D. Destonis Director

The Management Planning Branch is responsible for providing a complete range of management services to executive and program managers at the ministry with particular regard to:

- i) Financial planning and analysis including the co-ordination of the annual resource allocation and estimates process; managing-by-results reporting; and the implementation of government-wide management improvement initiatives.
- ii) Human resources planning and development of related ministry policies and systems.
- iii) Information systems and office automation planning and development.
- iv) Liaison with government central agencies, particularly Management Board Secretariat, regarding formal submissions to Management Board of Cabinet.

#### 1984/85 Activities

#### Financial Planning & Analysis

In 1984/85 the branch continued to make improvements to the ministry's annual resource allocations and budgetary systems. Noteworthy evaluations of the ministry's computerized expenditure reporting system, as well as the operational planning and budgeting processes, were undertaken and completed. Further improvements in the ministry's financial management system, including the introduction of computerized analytical tools, are planned in 1985/86 based upon the results of these evaluations.

#### Human Resources Planning

Co-ordination with central agencies continued in 1984/85 regarding the impacts of technological change, long-term policy developments and, in particular, planned improvements to the government's human resource information system (CHRIS Project).

<sup>\*</sup>D.A. Anderson was appointed acting executive director on January 28, 1985 upon R. Burak's appointment with the Ministry of Agriculture and Food as Assistant Deputy Minister, Finance and Administration.

An evaluation of the ministry's current human resources information systems was completed by the branch in 1984/85. Future needs and options for improvement are being defined in 1985/86.

#### Information Systems and Office Automation

The development of a five-year strategic information systems plan at the ministry was the primary focus of activity in 1984/85. The associated planning study is nearing completion (May 1985) and specific long and short range recommendations will be decided with selected implementation possible in 1985/86.

Branch classified staff positions in 1984/85 were 12.

#### Accounting Services

#### A.H. Ganesh Manager

Accounting Services is responsible for satisfying the ministry's and central agencies' requirements as expressed in the statutes, regulations, policies and other directives for financial visibility, control and accountability through the operation and maintenance of efficient and effective financial systems. It exercises shared controllership with Treasury and Management Board by ensuring the consistent application of Ontario government accounting principles, policies and controls.

In addition, it provides ongoing financial, advisory, monitoring and consulting services to management, employees, clients and suppliers of the Ministry of Labour.

Its responsibilities are carried out by a staff of 32 employed in five functional areas:

#### Administration

Provides ongoing accounting and financial advice to ministry management and oversees and monitors overall control of financial activities and compliance with financial and administrative policies.

#### Budgetary Control and Financial Reporting

Integral to the control and management of the cash resources are the systems for forecasting, timely recording and effective monitoring of the movements of all revenues and expenditures. This section also has prime responsibility for the preparation of accurate and relevant reports as required by the central agencies and the Ministry of Labour.

#### Revenue and Accounts Receivable

This section is responsible for ensuring that money received is safeguarded and deposited intact, and reported promptly to Treasury.

It also administers the Accounts Receivable System to ensure the efficient collection of revenues.

#### Accounts Payable

This section administers the systems for payment of suppliers' invoices, employees' expenses and other internal financial transactions.

#### Payroll

This section is responsible for the accurate, timely and proper processing of the ministry's payroll and related employee benefits.

1984/85 Summary of Expenditures and Revenues

\$ 000¹s	General Expenditure	General Revenue	
Ministry Administration	\$12,732	\$ 34	
Industrial Relations	7,115	32	
Occupational Health and Safety	37,338	9,215	
Employment Standards	6,923	304	
Manpower Commission	1,923	1	
Human Rights Commission	4,849	2	
Labour Relations Board	4,698	64	
Credits	_	185	
Total	\$75,578	\$9,837	

#### Personnel Branch

#### N.E. Mayne Director

The role of the Personnel Branch is to provide a variety of human resource management services for all areas of the ministry. These services include staffing, compensation and staff relations, training and staff development and employee counselling as well as the related processing and records maintenance functions.

The branch operates under the authority of the Public Service Act and regulations, the Crown Employees Collective Bargaining Act and the Collective Agreement, and is responsible for their administration.

Each section of the branch is responsible for a specific set of ongoing activities:

#### Staffing

Responsibilities in the staffing section include determining alternative strategies for filling vacancies in a time of constraint, placement of surplus staff, encouraging cross assignments for developmental purposes and hiring staff for contract or permanent positions. The ministry's youth programs are co-ordinated through this section, including Youth Corps, Summer Experience '84, Winter Experience '84, Student Training in Industrial Relations (STIR), university and high school co-operative

education programs, Student Work Week, and Handicapped Work Stations. The Canada-Ontario Employment Development (COED) projects also continued to be administered through this section.

#### Compensation and Staff Relations

This section is responsible for all aspects of wage and salary administration, including job evaluation, organizational structuring and the provision of advice to management and employees on the compensation process. This section is also responsible for the ministry's staff relations program, including administration of the Collective Agreement, grievance resolution and consultation with management and staff on industrial relations matters, and co-ordination of the ministry's Employee Relations and Health and Safety Committees.

#### Staff Development and Training

This section is responsible for the training and development activities of the ministry, including the development and operation of in-house courses, computer-assisted programs, the administration of the ministry's tuition assistance program and the provision of academic and career counselling services. The section is also responsible for the development and co-ordination of the ministry's Performance Appraisal program and consultation with management and staff on all section activities.

#### Employee Benefits

This section is responsible for the administration of the ministry's benefits program. The programs include providing advice and information to all employees about their benefits, resolving personal problems and conducting exit interviews on terminating and retiring employees. This section is also responsible for conducting the ministry's annual pre-retirement program.

The Personnel Branch had a complement of 19 during 1984/85.

#### 1984/85 Activities

#### Staffing

Most vacancies, filled through the competition process, were available to civil servants, unclassified staff and GO Temporary employees only. When external advertising was possible, it was limited to using the government publication Topical/Job Mart for open competitions to the public. After September 1, 1984 the area of search for open competition no longer required Civil Service Commission approval, except for use of external media.

With fewer opportunities available for promotion, career development was encouraged through internal cross-assignments and secondments. This developmental privilege occurred through career planning interviews or as a response to advertisements. There were approximately 60 ongoing assignments each month in the ministry.

A number of special programs were co-ordinated and administered through the Staffing section with the result that 596 participants received opportunities to enhance their employment experience.

#### Special Program Placements include:

Summer Students - Experience '84	309
Summer Students - ministry paid	40
Winter Experience '84	60
Student Training in Industrial Relations (STIR)	35
Work Week Students (high school)	53
Secondary School Co-Op	21
Handicapped Work Stations	22
COED Participants	56
	596

#### Compensation and Staff Relations

Reviews of positions were undertaken in a number of branches. Organization and specification reviews were also completed in the Ontario Human Rights Commission, Human Rights Branch and Race Relations Division.

The establishment of the Policy Branch required the drafting of organization charts and a number of new position specifications. Re-organizations were also carried out in the Office of the Assistant Deputy Minister, Industrial Relations and the Employment Standards Branch. A review of the class standards for Employment Standards Auditors was also completed. Specification reviews were also completed in the Library, Accounting Services, Office of Arbitration, Communications Branch and Offices of the Assistant Deputy Minister and Executive Director, Occupational Health and Safety Division.

The section also participated in the training of cross assigned staff from the central agency.

Active participation in the Staff Relations Supervisory Training Courses gave the section an opportunity to work with managers on staff relations problems. Management and staff were also provided with ongoing interpretation of the Collective Agreement and consultation on staff relations matters. The section was also responsible for the establishment and co-ordination of the ministry's Employee Relations and Health and Safety Committees in several locations throughout the province.

#### Staff Development

Overall expenditures in training and development increased over the previous year reflecting increased course costs and, in particular, substantial increases in Civil Service Commission and external course attendance. In-house course attendance and tuition assistance participation rates were significantly lower although not enough to offset the overall increases. These trends resulted in the section's staff being heavily involved in problem resolution and administrative activities over the year.

The section was also involved in three new initiatives. The first two programs, a Management Development Program for the Construction Health and Safety Branch and an Attendance Improvement Program for Supervisors, were both designed to improve management skills and effectiveness. The third program, the development of a ministry word-processing and overload centre, was oriented towards improving the ministry's word processing capabilities. The total effects of all three initiatives will not be seen until the next fiscal year.

The section also continued to monitor and be involved with the ministry's Performance Appraisal program, including considerable participation in career planning and secondment activities.

#### Employee Benefits

This section's workload increased due to new legislation allowing employees more flexible options for buying back previous service for pension purposes.

Workload also increased in the area of maternity leave counselling and administration. In addition, this section took on the responsibilities, under the Collective Agreement, of administering the eye examination provisions of the Video Display Terminals program.

As in previous years, this section maintained a heavy involvement in employee counselling and conducted the ministry's Pre-Retirement program.

#### Systems and ADP Branch

#### W.H. Lehman Director

The Systems and ADP Branch provides service to all program managers requiring systems development services. This includes design, implementation, maintenance and data processing of ongoing systems. Activities in general can be categorized as follows:

- Consultative services regarding concepts, technical feasibility and cost/benefit analysis.
- Scientific and research applications for studies and surveys requiring evaluation and statistical analysis in the fields of occupational health and safety, labour relations, work force activity and collective bargaining.
- Commercial systems involving management information on activity and control of various program managers' systems, including accounting and personnel applications.
- Preparation of proposals, and project management where these proposals are accepted.

The branch objectives are:

- to provide clients with system development services and procedures that will meet their needs in providing or improving program delivery in keeping with existing policy and legislation.
- to apply project management techniques that will allow for the control of approved projects through progress reports, implementation schedules and quality review.
- to document major systems and procedures in order to ensure that maintenance and revisions can be carried out with the minimum of discontinuity.

The branch complement for 1984/85 was 29.

There is currently a long-range systems study underway due for completion in mid-1985 that may have an impact on the function and structure of the systems activity in the ministry as a whole.

#### 1984/85 Activities

Development, maintenance and data processing commitments were active in 1984/85 in the following areas:

- Accounting Services
- Women's Directorate
- Standards and Programs Branch
- Industrial Health and Safety Branch
- Mining Health and Safety Branch
- Occupational Health Branch
- Special Studies and Services Branch
- Policy Branch
- Industrial Relations Division
- Employment Standards Branch
- Office Services
- Ontario Human Rights Commission
- Ontario Manpower Commission
- Ontario Labour Relations Board

1984/85 resulted in the receipt of:

- 212 Work Requests
- 177 Actioned
- 35 in progress or backlog

#### Budget

1984/85 Net Labour Budget

\$1,078,800.00

#### Processing Volume

Jobs submitted to Queen's Park Computer Branch (QPCB)	17,112
Records Read:	
At QPCB	907,884
Via Remote Job Entry on Site	1,941,156
Lines Printed:	
At QPCB	1,107,312
Via Remote Job Entry - Printers on Sight	27,633,132
Pages printed via Laser Printer	20,566

#### Administrative Operations Branch

#### R.R. Hogarth Director

The Administrative Operations Branch provides administrative support services to the ministry's line and staff operations in the head office, 18 district and field office locations, including nine Mining Health and Safety Branch offices located throughout the province, and two laboratories.

Support services provided include records management, purchasing, inventory control, warehousing and supply, reprographics, mailing, office accommodation and transport.

Administrative support is provided to the Ministry of Consumer and Commercial Relations in those district offices where premises are shared.

Branch complement in 1984/85 was 109.

#### 1984/85 Activities

#### Records Management

The primary objectives of this program are to ensure economy and efficiency in the creation, maintenance, retrieval, storage and disposition of ministry records, and in the creation, design and use of ministry forms.

Consultative services provided by this section include:

- Development and implementation of records schedules
- File classification plans
- Filing systems and equipment needs
- Forms analysis and design

#### Copy Centre

The ministry operates an in-house reproduction centre that services the short-run printing and bindery needs of the branches, boards and commissions operating from the headquarters and district office locations. The present output of this unit is up to 1,500,000 impressions each month on a variety of equipment and in a wide range of formats.

#### Purchasing

The ministry centralized Purchasing Office is responsible for acquiring the wide range of goods and services required by various programs. Needs range from basic office requirements to sophisticated analytical laboratory equipment.

#### Communications Branch

#### R.I. Cohen Director

The Communications Branch administers an ongoing program of communication between the ministry and the public in order to facilitate the achievement of ministry goals. In fulfilling this mandate, the branch provides the following services:

#### Consultation

Branch staff advise senior ministry staff, including the minister, deputy minister and assistant deputy ministers on the communications implications of ministry policies, programs and initiatives.

#### Planning

An integrated communications component is essential to the achievement of program goals. Branch staff identify communication needs and develop public information programs to assist in the achievement of these goals.

#### Implementation

Branch staff are responsible for implementing communication programs designed to inform the ministry's client groups of the philosophy, policies and programs of the ministry. They prepare speeches and news releases, pamphlets, brochures and other printed material, exhibits and audio-visual aids. They also manage the ministry's advertising program and assist in the presentation of seminars.

Each year the branch handles more than 3500 telephone enquiries for information and publications.

At the end of the fiscal year the branch had a complement of 12.

#### 1984/85 Activities

#### Media Relations

Twenty-three press releases were issued, and over 2,000 media telephone enquiries were answered.

The District Media Liaison Representative system, by which an officer in each district office acts as liaison between the local media and the ministry, continues as a very effective extension of the media relations function.

Students Working in Media (SWIM), an Experience '84 project, was continued. Six journalism students were placed with media sponsors for a period of 13 weeks. Students specialized in topics related to the Ministry of Labour.

#### Advertising

A notification program was conducted in all major newspapers on each designated substance as it was regulated.

#### Publications

The branch edited and co-ordinated the production of the following new brochures/publications:

Occupational Health in Ontario - Occupational Health Journal - 4 issues.

Regulation respecting Acrylonitrile - made under the Occupational Health and Safety Act - pocket version.

Regulation respecting Benzene - made under the Occupational Health and Safety Act - pocket version.

Reprisals by Employers Prohibited - flyer (English, French, Portugese, Italian, Spanish, Greek, Chinese)

Occupational Health and Safety Data Base - brochure (bilingual)

Designated Substances in the Workplace - A General Guide to the Regulations

Affirmation - Human Rights Commission newsletter - 4 issues

Workbook on Equal Employment Opportunity

<u>Unfair Labour Practice Proceedings Before the Ontario Labour Relations</u>
<u>Board</u> - brochure (French, Italian, Portugese)

Linking Firms and Macro Human Resource Planning - report

Labour Market Outlook for Ontario 1984-88 - report

Introductory Guide to Human Resource Planning - (English, French)

Job Matching - The Assessment of Individuals for Work - report

 $\underline{\text{Can I Play}}$  - Report of the Task Force on Equal opportunity in Athletics (Vol. 2)

A Structure of Ontario Agriculture as Related to Health and Safety - Background paper #1 of the Ontario Task Force on Health and Safety in Agriculture

Farm Machinery Industry and Farm Safety - Background paper #2 of the Ontario Task Force on Health and Safety in Agriculture

Agricultural Chemicals and Farm Health and Safety - Background paper #3 of the Ontario Task Force on Health and Safety in Agriculture

Conciliation and Mediation brochures (4) - preventive mediation series (French)

Ontario Ministry of Labour Annual Report 1983/84

Ontario Human Rights Commission Annual Report 1983/84 - (English, French)

Sixth Annual Report of the Advisory Council on Occupational Health and Occupational Safety 1983/84

The following publications were revised:

Extracts from the Occupational Health and Safety Act - poster (French)

Regulations respecting Construction Projects - pocket version

Guide to the Employment Standards Act - (English, French)

Extracts from the Employment Standards Act - poster (Bilingual)

Mine Rescue Handbook - 1984

Guide to the Ontario Labour Relations Act - (English)

Employment Facts for Ontario Students - brochure (English, French)

The branch also co-ordinated the reprinting of approximately 60 other brochures and publications.

#### Internal and Management Audit Branch

# P.A. Cummings\* Acting Director

The purpose of the Internal and Management Audit Branch is to perform an independent review of ministry and agency operations (excluding Workers' Compensation Board), on behalf of the deputy minister. These reviews encompass an appraisal of financial transactions, systems and controls as well as economy and efficiency of operations and existence of an appropriate management process to enable evaluation of program effectiveness.

During the 1984-85 fiscal year, normal audit activity was performed relative to the Accounting Services Office, the Ontario Human Rights Commission and the ministry's purchase and management of professional services. Additionally, a number of requests for assistance in a consultative and/or investigative capacity were undertaken.

At the end of the fiscal year the branch had a complement of five.

<sup>\*</sup> P.A. Cummings was appointed acting director on January 28, 1985 upon D.A. Anderson's appointment as Acting Executive Director, Finance and Administration Division.

#### Ministry Library

Sandra A. Walsh Manager

The Ministry Library is one of the major collections in its subject areas in Canada. With a unique collection of 70,000 books and reports, 1,500 journal titles and 35,000 microforms, the library provides in-depth coverage of all major labour issues in the areas of industrial relations, occupational health and safety, manpower, quality of working life, human rights and discrimination, employment standards, women's issues and issues relating to persons with handicaps. Staffed by six professional librarians and 10 paraprofessionals, the library serves ministry clients, professionals in the various subject areas, students and the general public.

#### 1984/85 Activities

The library responded to 4,054 reference enquiries from ministry and non-ministry clients and completed 459 subject searches for ministry staff on 14 online information retrieval systems. Staff indexed 7,175 periodical articles and filled, 15,043 requests for copies of articles from the library bulletins. Twenty-four selected bibliographies on labour and occupational health and safety topics were published in the library bulletins. Over 8,800 publications were borrowed, and the staff filled 3,568 requests for interlibrary loans.

There are, currently, approximately 18,000 records in the UTLAS automated cataloguing system, 50,000 records in the MOLINDEX in-house database of periodical articles and 7,000 in the Ontario Labour Relations Board decision database. Two new databases were designed and implemented: the Ontario Human Rights Commission and the Employment Standards Act decisions. The indexing of the 1984 ESA decisions, the inputting of the current decisions and the inputting of the retrospective OHRC decisions were also completed.

#### THE FOLLOWING PROGRAMS REPORT DIRECTLY TO THE DEPUTY MINISTER OF LABOUR:

- The Quality of Working Life Centre
- The Affirmative Action Program
- The Legal Services Branch

#### Ontario Quality of Working Life Centre

Dr. Hans van Beinum Executive Director N. Ignatieff Program Manager

Since its establishment in December 1978, the Ontario Quality of Working Life Centre has made considerable progress towards the fulfilment of its mandate. The centre's mandate, to promote and support the enhancement of the quality of working life of people in Ontario, has been developed through three major areas of activity:

- the initiation, implementation, monitoring and evaluation of quality of working life projects in joint union-management settings;
- the education and training of individuals and organizations in quality of working life approaches;
- the creation, collection and dissemination of written information to promote a broad understanding of and interest in QWL.

The centre has translated these three activity areas into a five-pronged program of field project work, education, information services, research and consultation. The primary thrust of the centre has been the development of quality of working life projects in Ontario, based on the principles of joint involvement and shared responsibility between labour and management. The centre recognizes that attempts to improve the quality of working life can succeed only if all parties can learn to work together in areas where joint benefit is possible.

The centre staff currently consists of an executive director, a program manager, five consulting positions, a co-ordinator, three administrative support staff, and a number external consultants who participate in the centre's educational events or field projects.

The Ontario Labour Management Study Group, a committee of senior representatives from labour, management and government chaired by the Deputy Minister of Labour, acts as a steering body for the centre.

#### 1984/85 Activities

#### QWL Field Project Work

In its role of providing assistance to organizations in the development and continuation of QWL programs, the centre has become involved with several organizations in an ongoing consulting capacity. During this fiscal year, the centre has been facilitating QWL field projects in 17 joint union-management work settings. These projects focus on involving workers in the decision-making process affecting their jobs, and examining, in this context, the decision-making structures and the design of jobs within the workplace. In order to achieve a mix of projects, the centre is working within a range of different work settings in both the private and public sectors. Centre projects are underway in such diverse settings as: a casting plant, a bakery, a government office and a regional facility for the developmentally handicapped.

#### Education

Extensive education is seen as essential to the sustained development and diffusion of QWL within Ontario. Consequently, the centre has developed an education program to meet a wide range of needs.

The centre held three one-day introductory and two  $2\frac{1}{2}$  day seminars.

In addition, over 26 educational events and workshops were tailor-made for labour and management field project participants over the course of the year.

In the effort to educate, increasing emphasis is being placed upon including union and management representatives who have actually participated in a QWL project in the capacity of workshop and seminar panelists and speakers. Their personal experiences have proven invaluable in explaining the QWL concept.

The centre assisted the various unions, business organizations and individuals active in QWL to link up for shared learning and support. An example of this development is found in the Co-ordinators' Network, initiated and supported by the centre to provide a forum in which a group of union and management internal resource people meet regularly in order to learn from each others' experiences.

#### Information Services

The centre operates a service that provides the public with a wide range of information on QWL - ranging from basic introductory materials to highly specialized information provided in response to specific requests. The centre also publishes a periodical news journal and occasional working papers. The centre provides speakers to groups and organizations wanting to learn more about QWL.

#### Consultation

Centre staff assist individuals and organizations, on a daily basis, to increase their understanding of QWL, to assess its relevance for their own situation and to take the first steps in the development of their own QWL program.

#### Affirmative Action Program

Sheila Dann Program Manager

The program manager is a full-time position reporting to the deputy minister to promote equal employment opportunity in the ministry. The manager liaises closely with the Personnel Branch and the Ontario Women's Directorate.

The manager provides a resource to branch directors in implementing affirmative action and chairs a committee of branch representatives who act as a communications network to relay affirmative action information to ministry employees.

As a member of the executive committee of the Affirmative Action Council, the manager helps to guide the corporate Affirmative Action Program.

#### 1984/85 Activities

At the start of the year, the program planned a number of hire/promotion targets and developmental assignments for women of the ministry.

Hire/promotion targets refer to certain positions that:

- are currently under-represented by women, that is, where women comprise less than 30 per cent of the class population; and
- where there are enough women in the potential applicant pool.

The number of targets set by the ministry is based on the projected vacancies and the potential numbers of male and female applicants. For the past year 14 targets were set and 14 were met. The targets met were as follows:

#### Module (Management)

#### Professional

(1) Librarian

#### Administration

- (3) Labour Relations
- (1) General Administration

#### Categories (Bargaining Unit)

#### Maintenance Services

(2) Occupational Health and Safety Inspectors

## Scientific and Professional

#### Services

- (2) Scientists
- (1) Economist

#### Technical Services

(2) Technicians

#### Administrative Services

(2) Employment Standards Auditors

Forty-six women were provided developmental assignments, over and above normal staff development activities. The three to six-month assignments were planned and designed to qualify the participants to compete for higher levels or traditionally male occupations.

The program manager worked closely with the branch directors in assisting them in achieving their branch affirmative action commitments. In addition, regular reports were made to the deputy minister and semi-annual reports were prepared, presenting the statistics outlining the status of the ministry's female employees. Presentations were also made to the branch managers and to regional offices on the development of the program. Personal career counselling interviews were conducted, and an inventory of all female employees was maintained for the purpose of effectively monitoring hirings and promotions.

Two two-day workshops, <u>Negotiation Skills</u>, were presented to all interested women in the ministry to enable them to develop and practise negotiating skills that are essential in resolving conflicts.

Two two-day workshops, Preparing for Supervision and Management, were presented to introduce women to the responsibilities and skills required to supervise and manage. These workshops were sponsored jointly with the Personnel Branch (Staff Development).

A series of <u>Executive Skills</u> seminars were attended by some senior women in the ministry. This program was designed to further develop managerial skills and assist senior women to more effectively meet the challenges facing managers in government today.

A basic <u>Business/Information Training</u> course was offered to all women in the ministry. This 12-week course was presented by Humber College, and, on completion, the successful candidates were provided with a letter of exemption within Humber College Business Division Computer Studies Program.

<u>Lunch and Learn</u> noon-hour presentations were also organized by the <u>Affirmative Action Committee for all employees</u>, informing them of important social issues of special concern to women.

The Affirmative Action Program manager represented the Ministry of Labour on the Affirmative Action Council Regional Delivery Task Force. Several seminars, Working Together, were presented to help women set up inter-ministerial committees. Women in the regional offices were encouraged to attend.

Opportunities were provided for senior women to attend workshops co-ordinated by the Affirmative Action Program managers of the resources ministries.

<u>Directions</u> - The Affirmative Action quarterly newsletter was published to stimulate awareness of the Affirmative Action Program in the Ministry of Labour and to provide a forum for the discussion of events and issues relevant to women.

#### Legal Services Branch

# Carl F. Dombek\* Director

#### Legal Services Branch:

- drafts legislation as requested and gives advice thereon and presents it to legislative counsel;
- gives legal advice to the Ministry of Labour on problems pertaining to the interpretation and application of acts and regulations;
- consults with the branches of the ministry on investigations into alleged breaches of the acts and regulations and considers the sufficiency of the evidence and conducts prosecutions;
- acts as counsel to the ministry in inquiries and hearings held by or for the ministry under the acts;
- acts as counsel to the Human Rights Commission
- answers inquiries from the public regarding the application and scope of acts and regulations;
- attends inquests into fatalities occurring at workplaces, where required;
- generally, provides legal services as requested or required.

Legal Services Branch has a complement of a director, five lawyers seconded from the Ministry of the Attorney General and two lawyers on contract with the Ministry of Labour and support staff consisting of six secretaries. All personnel are located in Toronto.

#### 1984/85 Activities

Members of Legal Services Branch appeared as counsel for the ministry in 191 applications for review of orders to pay and section 51 hearings under the Employment Standards Act. A total of 115 hearings were completed in the fiscal year.

The Legal Services Branch received a total of 426 files under the Occupational Health and Safety Act. A total of 220 prosecutions were completed during the fiscal year.

<sup>\*</sup>Carl F. Dombek was appointed Director, July 2, 1984 upon P. Hess's retirement.

### Ontario Labour Relations Board

Judge R.S. Abella\*
Chairman

D. K. Aynsley Registrar and Chief Administrative Officer

The Ontario Labour Relations Board is a quasi-judicial tribunal responsible for the administration of the Labour Relations Act. Under this Act, the board:

- certifies trade unions as collective bargaining agents for employees;
- appoints officers to mediate complaints of contraventions of the Act, conducts hearings into complaints that are not settled, and grants remedial orders where it finds that the Act has been contravened;
- issues directions and declarations where unlawful strikes and lock-outs have occurred;
- settles jurisdictional disputes arising from the assignment of work;
- accredits employers' organizations and employer bargaining agencies in the construction industry;
- certifies employee bargaining agencies in the construction industry;
- conducts arbitration hearings arising from grievances under construction industry collective agreements;
- terminates bargaining rights, and
- provides opinions to the Minister of Labour relating to his authority to appoint conciliation officers or arbitrators.

#### Composition

The board is composed of a chairman, 10 full-time vice-chairmen (one, the alternate chairman), five full-time employer representatives and five full-time employee representatives. All are appointed by the Lieutenant-Governor in Council. Under the Act, \*\* the jurisdiction and powers of the board may be exercised by a panel composed of the chairman or a vice-chairman, one employer representative and one employee representative, or in respect of certain matters, by the chairman, the alternate chairman or a vice-chairman sitting alone.

It is common for six and, with increasing frequency, seven or eight panels to be sitting simultaneously, sometimes in different parts of the province. While most cases are heard in Toronto, some types of cases or cases involving a substantial number of witnesses are heard at or near the municipality in which the workplace is located.

#### Board Reports

The board publishes a monthly report in two sections. The first section contains the full text of significant board decisions issued during the

<sup>\*</sup> Judge R.S. Abella was appointed chairman of the Ontario Labour Relations Board effective September 1984, replacing G.W. Adams, who left the board to return to private practice.

<sup>\*\*</sup> The Act refers to the Labour Relations Act throughout the text.

report month and an index of summaries on the subject matter of these decisions. The second section lists all of the cases disposed of by the board during the previous month by type of case and method of disposition and describes the bargaining units determined in certification cases.

#### Caseload

In fiscal year 1984/85 the board received a record total of 3,509 applications and complaints, an increase of 374 cases, or 12 per cent, over the intake of 3,135 cases in 1983/84. Applications for certification of trade unions as bargaining agents, one of the three major categories of the board caseload, increased by 277 cases, or 32 per cent, from the filings for 1983/84. In addition, complaints of contravention of the Act, the second of the three major categories, increased as well by 48 cases, or five per cent, when compared to 1983/84. In the third of the major categories - referrals of grievances under construction industry collective agreements - there were 73 fewer referrals in 1984/85 than in 1983/84, a decline of 10 per cent.

In addition to the record number of cases received, 534 cases were carried over from the previous year, making a total caseload of 4,043 in 1984/85. Of the total, 2,866 or 71 per cent were disposed of during the year. Proceedings in 236 were adjourned sine die\*\*\* (i.e. without a fixed date for continuation) at the request of the parties to the matter. Finally, 941 were pending at various stages of processing at March 31, 1985.

The total number of cases processed during the year produced an average caseload of 404 cases for the board's full-time vice-chairmen and chairman compared to 322 for 1983/84. The total dispositions represented an average output of 287 cases, up from 254 in 1983/84.

#### Labour Relations Officer Activity

In 1984/85 the board's 17 labour relations officers were assigned a total of 2,317 cases to assist the parties in resolving their differences without the necessity of formal litigation before the board. These officer assignments comprised 57 per cent of the board's total caseload, including 680 certification applications, 32 cases concerning the status of individuals as employees under the Act, 816 complaints of contraventions of the Act, 745 referrals of grievances under construction industry collective agreements and 44 complaints under the Occupational Health and Safety Act.

The labour relations officers completed 1,961 of the assignments, obtaining settlements in 1,633 cases, or 83 per cent. Of the remaining cases assigned, 170 were referred to the board for decision, proceedings were adjourned <u>sine</u> <u>die</u> in 158 cases, and settlement efforts were continuing in 356 cases as of March 31, 1985.

Labour relations officers were also successful in having hearings waived by the parties in 182, or 65 per cent, of 281 certification applications.

#### Representation Votes

In 1984/85 the board's returning officers conducted a total of 251 representation votes among employees in one or more bargaining units. Of the 230 votes in which the ballots were counted, 170 involved certification

<sup>\*\*\*</sup> The board regards <u>sine</u> <u>die</u> cases as disposed of, although they are kept on docket for one year.

applications, 56 were held in applications for termination of existing bargaining rights, and four were taken in successor employer applications.

One hundred and thirty of the certification votes involved a single union on the ballot and 40 involved two unions. Of the two-union votes, 38 entailed attempts to replace incumbent bargaining agents, and two involved two unions competing to represent employees in collective bargaining for the first time.

A total of 14,578 employees were eligible to vote in the 230 elections concluded, of whom 11,930, or 82 per cent, cast ballots. Of those who participated, 51 per cent voted in favour of union representation. In the 170 certification elections, 81 per cent of the eligible voters cast ballots, with 54 per cent of those who participated voting for union representation. In the 130 elections that involved a single union, 78 per cent of the eligible voters cast ballots, of whom 53 per cent voted for union representation. In contrast, 91 per cent of the eligible voters in the two-union elections cast ballots, with 57 per cent of the participants voting for union representation.

In the 56 votes in applications for termination of bargaining rights, 88 per cent of the eligible voters cast ballots, with only 23 per cent of those who participated voting for the incumbent unions. Of the 161 employees who cast ballots in the elections held in successor employer cases, 94, or 58 per cent, voted for union representation.

#### Hearings

The board held a total of 1,251 hearings and continuations of hearings in 1,501 cases. Eighty-one of the hearings were conducted by vice-chairmen sitting alone, compared with 113 in 1983/84.

Details of the activities of the board and its staff will be found in the board's 1984/85 annual report.

# Ontario Human Rights Commission

Borden C. Purcell Chairman

George A. Brown Executive Director

The Ontario Human Rights Commission, established in 1962, administers the Human Rights Code, 1981, which provides the right to equal treatment without discrimination with respect to services, goods and facilities, accommodation, employment, contracts, membership in trade unions, trade or occupational associations or self-governing professions on the grounds of race, colour, ancestry, place of origin, ethnic origin, citizenship, creed, sex, handicap, age (18-65 years in employment; 18 years and over in all other areas), marital status, family status, receipt of public assistance (in accommodation only) and record of offences (in employment only). In addition, every person has a right to freedom from harassment in accommodation and employment because of any of the prohibited grounds, including race and sex. The Code also provides a remedy for unwelcome sexual solicitations or advances made by a person in authority, and for threats of reprisal because an advance has been refused.

In addition, a right is infringed where a requirement, qualification or consideration is imposed that is not discrimination on a prohibited ground but that would result in the exclusion, qualification or preference of a group of persons who are protected under the Code.

Every person has a right to claim and enforce his or her rights under the Code, to institute and participate in proceedings under the Code and to refuse to infringe a right of another person under the Code, without reprisal or threat of reprisal for doing so.

The Code is not infringed by the implementation of a special program designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity, or that is likely to contribute to the elimination of the infringement of rights under the legislation. It is also a function of the commission to recommend special plans or programs.

The commission is composed of a chairman, vice-chairman, and 10 members who are appointed by the Lieutenant-Governor in Council. The commission meets regularly to formulate policies on all issues with an impact on human rights in the province. In addition where the commission fails to effect a settlement of a complaint and it appears to the commission that the procedure is appropriate and the evidence warrants an inquiry, the commission requests the Minister to appoint a board of inquiry. Where the commission decides, upon an evaluation of the evidence, to dismiss the complaint, it advises the complainant in writing of the decision and reasons for it, and informs the complainant of the procedure for having the decision reconsidered.

A complainant who requests reconsideration must include a statement of the facts upon which this request is based. The commission makes its decision after notifying the respondent and giving the respondent time to make written submissions concerning the request. The commission's decision on reconsideration is final, and is communicated to both parties in writing.

The person who presides over the board of inquiry is appointed by the Minister of Labour. He or she is not a member or employee of the Ontario Human Rights Commission. The board hears testimony given under oath and makes a finding based on the evidence as to whether or not the Code has been contravened. If the finding is that there has been a contravention of the Code, the board may, by order, direct the respondent to do anything that ought to be done to achieve compliance with the Code, both in respect of the complaint and in respect of future practices. The board can also order compensation for loss to the complainant, and where the contravention has been engaged in wilfully or recklessly, may award up to \$10,000 to the complainant for mental anguish. If the board finds that there has been no contravention, the case is dismissed.

If a board finds evidence of discrimination in a complaint based on handicap, and if the board finds a lack of access to premises or facilities or lack of appropriate amenities in these respects, it may make a finding as to whether the equipment or essential duties could be adapted to meet the needs of the person whose right is infringed. If this is the case, the board may order the respondent to take measures to provide access or amenities unless the costs involved would cause undue hardship.

Where a complaint is dismissed, the board may order the commission to pay the respondent's costs if the board finds that the complaint was trivial, frivolous, vexatious or made in bad faith or if undue hardship was caused to the respondent in the particular circumstances.

The decision of the board must be rendered within 30 days after the conclusion of the hearing.

The decision or order of the board may be appealed to the Divisional Court of the Supreme Court of Ontario.

In the last fiscal year, 41 such boards were appointed and 10 hearings completed. In addition, 7 settlements were reached prior to the hearing in complaints in which a board had been appointed.

The commission also reviews requests for special programs and conducts public education activities among business and industry, media, unions, government, educational institutions, law enforcement and criminal justice agencies, and social services and health care institutions.

A quorum of three commissioners meets regularly as a panel to review and approve the settlements of all cases before they may be closed.

When a settlement proposal is not in accordance with commission policy of rectification and remedy, the panel recommends that the commission refer the case to staff for further conciliation. Where a case reveals evidence of a discriminatory practice or pattern that suggests a need for policy or procedural changes, the panel makes recommendations for follow-up action.

The panel also reviews requests for exemptions from the provisions of the  $\mathsf{Code}_{\:\raisebox{1pt}{\text{\circle*{1.5}}}}$ 

Under the Code, the commission conducts the following programs:

Conciliation and Compliance through the investigation and resolution of complaints filed under the provisions of the Code. During the year, 1,599 formal complaints were registered with the Conciliation and Compliance Division and 1,070 cases were resolved; 134 informal complaints were handled and 66,124 referrals and inquiries were dealt with.

The Race Relations Division of the commission consists of three members of the commission, designated by the Lieutenant-Governor in Council. One of the members is designated as commissioner for race relations.

Under Section 27 of the Code, it is the function of the Race Relations Division to perform any of the functions of the commission as related to race, ancestry, place of origin, ethnic origin or creed, that are referred to it by the commission. These functions are set out in Section 28 of the Code as follows:

- to enquire into incidents of and conditions leading or tending to lead to tension or conflict based upon identification by a prohibited ground of discrimination and take appropriate action to eliminate the source of tension or conflict,
- to initiate investigations into problems based upon identification by a prohibited ground of discrimination that may arise in a community, and encourage and co-ordinate plans, programs and activities to reduce or prevent such problems, and
- to promote, assist and encourage public, municipal or private agencies, organizations, groups or persons to engage in programs to alleviate tensions and conflicts based upon identification by a prohibited ground of discrimination.

The division is to perform any other function referred to it by the  $commission_{\bullet}$ 

The Race Relations Division carried out 199 mediations and projects and 801 consultations during the year.

<u>Public Education</u> activities are developed and conducted to forward the principle that the dignity and worth of every person be recognized, and that equal rights and opportunities be provided without discrimination that is contrary to the Code. One thousand and eighty-seven educational undertakings were carried out under the Public Education Program.

Research activities are designed, undertaken and encouraged in order to eliminate discriminatory practices that infringe rights under the Code.

The commission has 15 district offices, located in Hamilton, Kenora, Kingston, Kitchener, London, Ottawa, Sault Ste. Marie, Sudbury, Thunder Bay, Windsor, Timmins, St. Catharines, Mississauga, Scarborough and Toronto.

The commission is composed of 73 professional and 24 support staff.

Details of the role and programs of the Ontario Human Rights Commission will be found in the commission's 1984/85 annual report.

# Advisory Council on Occupational Health and Occupational Safety

Dr. D. R. McCalla Chairman Dr. C. J. Tuohy Vice-Chairman

The Advisory Council on Occupational Health and Occupational Safety consists of 20 members - a chairman, a vice-chairman, seven members selected from management, seven from labour and, including the chairman and vice-chairman, six from the public.

Under section 10 of the Occupational Health and Safety Act the functions and powers of the advisory council are:

- to make recommendations to the Minister of Labour relating to programs of the ministry in occupational health and safety, and
- to advise the minister on matters relating to occupational health and occupational safety that may be brought to its attention or be referred to it.

During the year the advisory council submitted four advisory memoranda to the minister. The advisory memoranda are:

- A Review by the Advisory Council of the Process Used to Develop a Standard for Benzene and Council's Evaluation of the Criteria Utilized to Assess the Hazard of Benzene Exposure in the Workplace.
- A Report "Concerning Reproductive Hazards in the Workplace".
- A Review by the Advisory Council of the Process Used to Develop a Standard for Acrylonitrile and Council's Evaluation of the Criteria Utilized to Assess the Hazard of Acrylonitrile Exposure in the Workplace.
- A Report "Concerning Policies and Principles for Dealing with Literacy and Occupational Health and Safety".

The Scientific Task Force on Talc submitted its report: Report of
Committee to Review Certain Questions Concerning the Health Effects of
Fibrous Dust Particles in Talc. The talc task force was established by
council as a result of a request by the minister for advice on that topic,
and was to report directly to the minister.

The talc report and details of council's advisory memoranda and recommendations along with the minister's replies are found in the advisory council's Seventh Annual Report.

Other deliberations and activities of council that resulted in correspondence with the minister related to previous advisory memoranda: Principles and Procedures for the Interpretation of Epidemiological Studies, and Concerning Legal Interpretation of the Occupational Health and Safety Act. A major survey of joint health and safety committees in Ontario is now underway under the auspices of council. The correspondence and, in the case of the survey, background information, are also included in council's Seventh Annual Report.

A new council Task Force on Criteria and Alternative Approaches for the Control of Hazardous Substances and Agents in the Workplace was established during the fiscal year - the first phase of council's advice on this topic to be submitted to the minister early in the 85/86 fiscal year. Also undertaken were preliminary deliberations arising out of the minister's request for advice concerning biotechnology and policies and procedures that should be established to ensure the health and safety of workers as the use of biotechnology increases.

The council secretariat currently consists of an executive assistant to the chairman, two research officers, a project officer serving on a part-time basis, an administrative assistant and two secretarial staff.

## **Ontario Manpower Commission**

Benson A. Wilson Chairman

The Ontario Manpower Commission was established in 1979 with the mandate to provide advice, assistance and co-ordination with respect to human resources policies and programs to the government and private sector in order to promote the efficient functioning of the labour market in Ontario. The commission consists of a full-time chairman/commissioner, nine part-time commissioners and 29 full-time employees.

The part-time commissioners are private sector individuals whose primary responsibility is to advise government on manpower matters. Mr. Samuel H. Ellens, Mr. J.A. Armstrong\* and Mrs. Jalynn H. Bennett are drawn from the business sector; Mr. Clifford G. Pilkey, Mr. Kenneth G. Rose and Mr. Stanley E. Roscoe come from labour; and Mr. Douglas E. Light, Miss Jacqueline P. Robarts and Dr. Wallace A. McLaughlin are from the academic community. The chairman, Mr. Benson A. Wilson, was with the corporate sector before entering government service and was most recently assistant deputy minister with the Ministry of Colleges and Universities.

Reporting through the Cabinet Committee on Manpower, chaired by the Minister of Labour, the Ontario Manpower Commission develops short and long-term manpower strategies based on projected requirements of the economy and the composition of the work force. Areas within the commission's mandate include those relating to training, labour market information and human resources planning. The commission also undertakes specific studies of selected occupational areas, industrial sectors and segments of the labour force.

The commission played an important role in a number of major initiatives during the 1984/85 fiscal year.

As is the custom with many ministries, the provinces annually rotate lead responsibility for maintaining and co-ordinating interprovincial and federal-provincial contact with respect to labour market activities. In March 1984 this responsibility passed to Ontario, with the commission carrying out the administrative and co-ordinating functions.

The commission was also involved in the establishment of the Task Force on Employment and New Technology. This labour-management task force was appointed in May 1984 to study the employment implications of new technology in Ontario over the 1985-95 period.

In the field of human resources planning, the Ontario Manpower Commission has undertaken a number of activities to encourage employers to develop active human resources planning, often in conjunction with the Canada Employment and Immigration Commission. These activities have included a business-labour HRP conference, employer workshops and a human resources study of the automotive industry.

As a result of its involvement with the Canada-Ontario Employment Development (COED) program, the commission has administered the continued funding of Unemployment Help Centres run by trade unions to assist and counsel unemployed workers. Another program, the Ontario Small Business Employment Program (OSBEP), was established to support excess private sector COED proposals. This program created 982 jobs with a provincial contribution of just under \$2 million.

Several publications produced by the commission during the year included:

An Overview of Human Resources Planning Practices in Ontario

Labour Market Outlook for Ontario: 1984-88

## Public Service Appeal Boards

The four statutory tribunals comprising the Public Service Appeal Boards function as independent quasi-judicial tribunals, with offices and hearing rooms at 180 Dundas Street West in Toronto. The four tribunals oversee the labour relations of Ontario Crown employees. Employees are represented before the boards by one of four employee organizations: the Ontario Public Service Employees Union, the Ontario Liquor Board Employees' Union, the Canadian Union of Public Employees - Local 767, the Canadian Union of Public Employees - Local 1750, and the Amalgamated Transit Union - Local 1587.

Previously, all four appeal boards came under the authority of the Civil Service Commission. As of April 1, 1983, the Minister of Labour was given authority over the Crown Employees Collective Bargaining Act. This had the effect of placing two of the appeal boards — the Ontario Public Service Labour Relations Tribunal and the Crown Employees Grievance Settlement Board — under the minister's jurisdiction. In line with this rearrangement, the ministry administers the day-to-day affairs of all four tribunals. However, appointments to, and policy decisions concerning, the two remaining boards — the Public Service Grievance Board and the Classification Rating Committees — continue to come under the jurisdiction of the Civil Service Commission.

A small staff is assigned to provide administrative and clerical support to the appeal boards. The permanent staff consists of one secretary of the Public Service Appeal Boards, one manager of Office Support Services, one office support clerk and one records processing and control clerk.

#### Ontario Public Service Labour Relations Tribunal

O.B. Shime, Q.C. Chairman

T.A. Inniss Registrar

The Ontario Public Service Labour Relations Tribunal administers the Crown Employees Collective Bargaining Act, and is empowered by the Act to adjudicate matters referred to it by government employers, employee organizations or employees on matters such as:

- conferring representation rights on employee organizations;
- terminating employee organization representation rights;
- unfair labour practices;
- bad faith bargaining;
- successor rights applications;
- alleged strikes and lock-outs;
- consent to prosecute under the Act;
- inclusions and exclusions of employees in bargaining units;
- exemptions from the payment of union dues by individual employees;
   and
- the duty of fair representation owed by employee organizations to individual employees.

Decisions of the tribunal are final, although the Act empowers the tribunal to reconsider a decision if it considers it advisable. Tribunal decisions can be challenged by way of judicial review only on the grounds that the procedure employed violated the rules of natural justice or that the decision was patently unreasonable. The tribunal has the authority to state a case in writing to the Divisional Court to determine any question of law. While the tribunal has the choice of whether or not to state a case on its own motion, it is required to submit a stated case to the Court upon the request of any party to a hearing.

In addition to adjudicating disputes, the tribunal is involved in providing other dispute resolution mechanisms. Mediators are provided by the tribunal to assist parties in reaching a collective agreement. The tribunal also appoints interest arbitrators to determine the provisions of collective agreements when the parties are unable to mutually agree on an agreement and where they have failed to select or have been unable to agree to an appropriate arbitrator. Finally, the tribunal frequently appoints an investigator to enquire into fair representation complaints by individual employees against employee organizations.

The tribunal consists of one chairman and nine members representing employees and employers. The chairman and members are appointed by order-in-council. Members are appointed on the basis of nominations received from the respective parties. The tribunal sits in panels of three, consisting of one member representing employees, one member representing employers, and the chairman, who presides.

#### Applications in Fiscal Year 1984/85

		· · · · · · · · · · · · · · · · · · ·	
Filed Before	Filed		
March 31/84	in		
and Pending	Year	Appointments	Disposition
		Investigator	Pending before
			Investigator
9	74	15	3
		Mediator	
		7	
		Arbitrator	Pending Before Arbitrator
		13	3
			Decisions Issued/ Arbitrator 10
			Decisions Issued/ Tribunal 25
			Pending before Tribunal 48

#### Crown Employees Grievance Settlement Board

(vacant)

H.J. Waisglass Special Vice-Chairman for Mediation T.A. Inniss
Acting Registrar

The Crown Employees Grievance Settlement Board, established by section 20(1) of the Crown Employees Collective Bargaining Act, is solely responsible for the adjudication of employee organization and employer rights disputes involving matters such as dismissals, suspensions, other forms of discipline, working conditions and classification. Employee organization and employer policy grievances may require the board to interpret provisions contained in collective agreements. The only means of challenging a board decision is by way of judicial review to the courts, and only on narrow grounds, such as excess of jurisdiction, errors of law and questions relating to natural justice.

The board consists of one chairman (position vacant at the time of publication), 19 vice-chairmen and 57 members representing employees and employers. The chairman, vice-chairmen and members, who serve in a part-time capacity, are appointed by order-in-council. Members are appointed on the basis of nominations received from the respective parties. The board sits in panels of three, consisting of one member representing employees, one member representing employers, and the acting chairman or a vice-chairman, who presides.

One vice-chairman has been designated exclusively as a grievance mediator. The board's mediation service attempts to encourage parties to a dispute to settle their differences without resorting to actual board adjudication.

#### Grievances in Fiscal Year 1984/85

Filed Before March 31/84 and Pending	Dismissal	Other	Classi- fication	Policy	Other	TOTAL	Without settle- ment by Mediator	With	Board Deci- sions issued	Cases Pending as of March 31/85
637	87	122	243	25	999	1476	348	268	150	1347

Public Service Grievance Board

C.G. Simmons Chairman T.A. Inniss
Acting Secretary

The Public Service Grievance Board operates pursuant to the Public Service Act and, in particular, Part 5 of Regulation 881. The board adjudicates grievances concerning non-bargaining unit employees; grievances relating to bargaining unit employees are adjudicated by the Grievance Settlement Board. The Public Service Grievance Board may be called upon to deal with matters such as dismissal, suspension, other forms of discipline, merit increase, promotion and transfer. Decisions of the board are final, although dismissals are subject to the authority of the lieutenant-governor-in-council. Decisions are also subject to judicial review as with the Grievance Settlement Board.

The board consists of a chairman and four members representing non-bargaining unit employees and employers. The chairman and members are appointed by order-in-council. The board sits in panels of three, consisting of one member representing non-bargaining unit employees, one member representing employers, and the chairman, who presides.

Classification Rating Committees

C.G. Simmons Chairman T.A. Inniss
Acting Secretary

Classification Rating Committees are designated by the chairman of the Civil Service Commission. Pursuant to section 57 of Regulation 881 under the Public Service Act, Classification Rating Committees are appointed to adjudicate grievances concerning position classification from eligible employees who are excluded from the application of the Crown Employees Collective Bargaining Act. The committees are therefore essentially responsible for classification grievances filed by persons employed in a managerial or confidential capacity. Such committees are quasi-judicial tribunals, and sit with one personnel administrator from a non-interested ministry and two persons who are not civil servants. One of the latter two acts as chairman of the committees. Currently, the committees are drawn from a chairman and three available members.

Public Service Grievance Board and Classification Rating Committees

Grievances in Fiscal Year 1984/85

	Filed Before March 31/84 and Pending	Filed in Year	Withdrawn or Settled	Decisions Issued	Cases Pending as of March 31/85
PSGB	4	12	3	4	9
CRC	0	. 2	0	0	2

#### 1984/85 Activities

A total of 1,564 applications were filed with the four Public Service Appeal Boards in the fiscal year 1984/85. The bulk of these applications - 1,476 or 94.37 per cent - were submitted to the Grievance Settlement Board. Seventy-four applications - 4.73 per cent of all applications - went to the Public Service Labour Relations Tribunal. The remaining applications were filed with the Public Service Grievance Board and the Classification Rating Committees.

The Public Service Labour Relations Tribunal issued 60 decisions in the fiscal year. Of these 60 decisions, 25 (41.67 per cent) involved tribunal adjudication of disputed matters between parties. Fifteen decisions (25 per cent) involved the appointment of an investigator to inquire into complaints filed with the tribunal. In 13 cases (21.67 per cent), the tribunal appointed interest arbitrators with a view to determining collective bargaining disputes. In seven cases (11.66 per cent), the tribunal appointed mediators with a view of assisting in collective bargaining disputes.

Of the 1,476 grievances filed with the Grievance Settlement Board in 1984/85, 87 (5.89 per cent) pertained to employee dismissal and 122 (8.27 per cent) pertained to other forms of discipline. In total, 209 grievances (14.16 per cent) filed with the board pertained to one form of discipline or another. Two hundred and forty-three grievances (16.46 per cent) related to disagreements over employee classification. Nine hundred and ninety-nine grievances (67.69 per cent) were in relation to other numerous matters arising under the applicable collective agreements and involving employee concerns. Only 25 grievances (1.69 per cent) were of a policy nature, in which an employee organization – as opposed to an individual employee – grieved an alleged collective agreement violation.

The Grievance Settlement Board disposed of 766 grievances in 1984/85. Of these 766 dispositions, 150 (19.58 per cent) were dealt with by the board through a full hearing in which the matters in dispute were adjudicated, and a final decision was issued. The remaining 616 grievances were settled or withdrawn prior to an actual board decision. Two hundred and sixty-eight grievances (34.99 per cent) of all grievances withdrawn or settled in 1984/85 were settled with the assistance of the board's mediator. Three hundred and forty-eight grievances (45.43 per cent) of all grievances withdrawn or settled in 1984/85 were settled by the parties themselves.

The Public Service Grievance Board disposed of seven applications in the fiscal year. Out of these applications, three (42.86 per cent) were withdrawn or settled, and four (57.14 per cent) were adjudicated by the board.

No decisions were issued by Classification Rating Committees in 1984/85. Two applications pending before the committees in the fiscal year.

## Workers' Compensation Board

Lincoln M. Alexander, QC Chairman

The Workers' Compensation Board of Ontario, which operates out of 14 offices province-wide, including a Toronto head office, provides the province with three fundamental services: first, adjudicating claims for work-related injuries and occupational diseases and compensating workers for the resulting time lost from work and for permanent disability; second, furnishing injured workers with comprehensive medical and vocational rehabilitation services to help them return to a healthy life and gainful employment; and third, paying for these services through the collection of funds from the province's employers.

In 1984, new claims across the province totalled 388,845. Of total claims, 44.2 per cent (172,002) were accepted as lost-time claims (involving time off work and compensation payments). Another 49.6 per cent (192,919) of claims were accepted as no lost-time claims (for accidents that necessitated medical treatment, but no time off work beyond the day of the accident).

During the year the board awarded total benefits (exclusive of legislative increases) amounting to \$978,611,000. The vast majority of the funds for the board's programs and services come from annual assessments on the province's employers -- in 1984, numbering approximately 168,000. In 1984, assessment income collected by the board rose to \$1,048,569,000.

Board rehabilitation staff throughout Ontario were instrumental in rehabilitating 4,410 injured workers in 1984. Of these, 3,714 were returned to work and an additional 696, who will not be returning to employment, were assisted in achieving financial self-sufficiency. Staff were aided in their job-search activities by a public awareness campaign —intended to encourage employers to contact the board with job opportunities for rehabilitated workers—conducted under the slogan, 'Back A Comeback'.

An important feature of the board's medical rehabilitation services is its 522-bed Hospital and Downsview Rehabilitation Centre. The centre provides comprehensive therapy programs to injured workers on an in-patient and out-patient basis. The number of patients admitted to the centre increased 3.1 per cent, to 11,794 from 11,434, in 1983. The number of patients completing the full-treatment program in 1984 also increased by 6.5 per cent to 6,944 from 6,520 the previous year.

On December 14, 1984, the Ontario Legislature gave third and final reading to Bill 101, an Act to amend the Workers' Compensation Act. In addressing the board's administrative practices and structure, as well as a variety of benefits to injured workers, Bill 101 contains the most sweeping changes to workers' compensation in this province since the Act was passed in 1915.

Throughout 1984, Board employees applied themselves diligently, by means of internal task forces and committees begun early in 1984, in preparing for a smooth transition—without disruption of service or slowdown in momentum—to the new structures and procedures which will be implemented in 1985.

Further details of the board's activities in 1984 can be found in its 1984 Annual Report, which covers the fiscal year ending December 31, 1984.









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1985-86 Annual Report **Ministry of Labour** Ontario





1985-86 Annual Report

**Ministry of Labour Ontario** 

Fiscal year ending March 31, 1986



Office of the Minister Ministry of Labour 400 University Avenue Toronto Ontario

September, 1986

His Honour
The Lieutenant-Governor in Council

May it please Your Honour:

I have the privilege of presenting the 67th Annual Report of the Ministry of Labour for the fiscal year ending March 31, 1986.

Much has been accomplished. In connection with the Ministry's mandate for helping to ensure stable, effective relationships between labour and management in Ontario, Bill 65 providing for the arbitration of first collective agreements was developed and introduced to the Legislative Assembly.

In the field of occupational health and safety, Bill 101 requiring employers to inform workers and the general public about potential hazards in the workplace was developed and introduced. The Occupational Health and Safety Division instituted new, clearer policy on the issuance of orders under the Act and regulations and on procedures concerning prosecutions under the Act.

In workers' compensation, significant progress was made in implementing the recent major reforms to the Workers' Compensation Act through the establishment of the Offices of the Worker Adviser and Employer Adviser; the Workers' Compensation Appeals Tribunal; and the Industrial Disease Standards Panel. In addition, pension increases were related, for the first time, to rises in the cost of living.

In the field of fair treatment for workers, legislation prescribing pay equity for Ontario Government employees was developed and introduced. In addition, task force studies of hours of work and overtime and of mandatory retirement were begun.

I respectfully submit the report as attached.

The Honourable William Wrye





Office of the Deputy Minister Ministry

Labour

400 University Avenue Toronto, Ontario M7A 1T7 416/965-4115

September, 1986

The Honourable William Wrye Minister of Labour

Dear Mr. Wrye:

I am pleased to submit the annual report for the Ontario Ministry of Labour for the 1985-86 fiscal year for your consideration.

The period for which the report accounts is marked by significant accomplishment that is, in large measure, a consequence of the dedicated, highly professional work of the staff of the ministry and of the exceptional contribution of the previous Deputy Minister, T.E. Armstrong.

Respectfully submitted,

Glenn R. Thompson Deputy Minister **Acknowledgements** 

The essential mission of the Ontario Ministry of Labour is to help ensure equity and social justice for working men and women. The people and programs that emerge from the pages of this annual report are dedicated to that mission. This report is the product of many talents and much commitment. The Ontario Ministry of Labour wishes to acknowledge, with thanks, the contributions of ministry staff and Galer and MacMillan Communications Inc. in the development and preparation of this report. The ministry further wishes to acknowledge, with thanks, the following people and organizations which generously provided photographs that illustrate so vividly the people of Ontario at work:

Dionne - Sudbury

INCO. Limited

Ministry of Health, Government of Ontario

Ministry of Industry, Trade and Technology, Government of Ontario

Ministry of Northern Development and Mines, Government of Ontario

Ontario Hydro

Toronto General Hospital

**Toronto Transit Commission** 

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## **Acts Administered**

Crown Employees
Collective Bargaining Act

Crown Employees Grievance Settlement Board and Ontario Public Service Labour Relations Tribunal

Administered By

Employment Agencies Act

Employment Standards
Employment Standards

Employment Standards Act Government Contracts Hours and Wages Act

Employment Standards

Hours and Wages Act
Hospital Labour Disputes

Office of Arbitration

Human Rights Code, 1981

Arbitration Act

Human Rights Commission

Industrial Standards Act Labour Relations Act Employment Standards
Labour Relations Board

Ministry of Labour Act

Main Office

Occupational Health and Safety Act

Occupational Health and Safety Division

One Day's Rest in Seven Act

**Employment Standards** 

Rights of Labour Act

Main Office

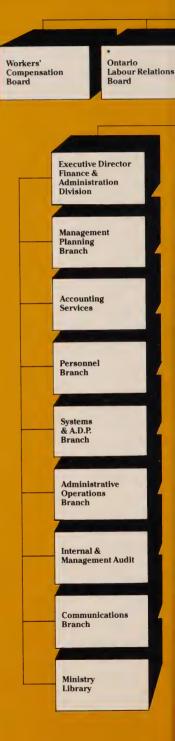
Workers' Compensation Act

Workers' Compensation Board

Workers' Compensation Insurance Act Workers' Compensation Board

Blind Workmen's Compensation Act

Workers' Compensation Board









## **Industrial Relations**

L.V. Pathe Assistant Deputy Minister

The role of the Industrial Relations Division is to promote harmonious relations between employers and employees in order to help ensure a stable labour relations climate in the province.

This objective is pursued through three activities: Program Administration, the Ontario Conciliation and Mediation Service and the Office of Arbitration.

The objectives of the Industrial Relations Division in pursuit of sound labour-management relations are to:

- encourage effective bargaining as contemplated by the Labour Relations Act:
- promote peaceful settlements through conciliation and mediation service:
- provide, where necessary, preventive mediation assistance to labour and management during the term of the collective agreement;
- facilitate the processes of grievance and interest arbitration in accordance with the intention of the Labour Relations Act and the Hospital Labour Disputes Arbitration Act;
- collect and analyse collective bargaining information for the use of the ministry and the industrial relations community.

The assistant deputy minister is responsible for directing and co-ordinating the activities of the Industrial Relations Division.

During 1985/86, the office had a complement of three — an assistant deputy minister, an executive assistant and a secretary.

### **Construction Industry Advisory Board**

An advisory body, the board has been established to advise the minister on issues of common concern to labour and management in the construction industry.

### **Ontario Conciliation and Mediation Service**

Ray Illing Director

Harry J. Sparling
Associate Director, Technical Services

The goals of the Ontario Conciliation and Mediation Service are to foster harmonious labour-management relations and to minimize disruption in the economy arising from strikes and lock-outs.

To achieve these goals, the service, operating under the authority of the Labour Relations Act, carries out major programs in two areas — collective agreement dispute resolution through conciliation/mediation, and preventive mediation. The service performs conciliation and mediation functions, assisting employers and unions to achieve settlement of their contractual differences. In addition, OCMS has firmly established a program of preventive mediation, which involves anticipating and providing for the needs of management and labour in the development of their relationship to minimize disruptions and to facilitate peaceful negotiations of collective agreements.

A specialist unit, the Occupational Health and Safety Advisory Service, also advises employers and trade unions in addressing health and safety concerns in the

workplace.

#### **Dispute Resolution Process**

The process has two steps. First, parties unable to achieve an agreement in direct negotiations must meet with a conciliation officer before they resort to the economic sanction of a strike or lock-out. During this stage, an officer enters the negotiations and employs mediation techniques in an effort to bring parties to settlement. Should the parties fail to come to total agreement, a report is made to the minister recommending whether or not a board of conciliation be appointed.

Although the use of boards of conciliation after the conciliation officer stage is an alternative under the Act to the establishment of a strike/lock-out deadline, few have been appointed in recent years. Subject to ministerial policy, they remain as important tools with disputes involving public service, and pattern-setting industries. If it is recommended that a board not be appointed, a 'no board' report is issued establishing a legal strike or lock-out deadline, which occurs 14 days following receipt of the notification to the parties.

During this period, the mediation service maintains contact with both parties keeping them aware of the availability of further mediation assistance.

The second step — mediation — is an informal one in which the services of a mediator are made available to the parties at any point in negotiations following the conciliation officer's report. While the techniques of mediation are similiar to those of conciliation, the intensive nature of this assistance, the pressure of a strike/lock-out deadline or ongoing work stoppage and the personal persuasive abilities of a senior mediator are additional factors.

#### **Preventive Process**

The main preventive mediation areas are the Relationship Improvement Program, the joint training of supervisors and union stewards, and assistance in establishing joint action committees.

The Relationship Improvement Program is designed to do exactly that — improve union-management relations. It is a two- or three-day seminar, Relationship by Objectives (RBO), which has been used extensively since 1975 and has proved effective in the promotion.





## **Industrial Relations**

development and maintenance of sound relationships between employers and unions.

The focal point of the training program is joint problem solving. Working in close consultation with both parties, OCMS mediators determine their needs and design a training program to include the study of attitudes, communications, leadership, grievance administration, and roles and responsibilities.

The establishment of a joint action labourmanagement committee is recommended in situations where the relationship would be assisted by a vehicle for regular formal communication. This may be applicable in a particular area or industry or in an idividual plant. Resources are made available to assist the parties to establish and structure such a committee.

The complement of the Conciliation and Mediation Service at March 31, 1986 consisted of the director, associate director, Technical Services; acting manager, Occupational Health and Safety Advisory Service; 11 mediators, 18 conciliation officers, two advisers, one research economist, three research supervisors, 17 research and collective bargaining agreement library clerks and 12 clerical and support staff.

#### 1985/86 Activities/Caseload

During 1985/86, 2,726 collective agreement disputes were referred to conciliation officers. These assignments represented a decrease of 811, or 23 per cent, over the total for 1984/85 (Table 1). The officers disposed of 2,730 cases during the year, a 17 per cent decrease over the previous year's dispositions. At year end, 745 cases were still being dealt with by the officers, compared to 749 in 1984/85.

Table 1

		5/86 Employees		4/85 Employees	
Assignments received by officers	3,475	394,691	4.038	569.785	
Carried from previous year Assigned to officer	749	85,651	501	71,716	
during year Assignments disposed of	2,726	309,040	3,537	498,069	
by officers	2,730	329,751	3,289	484,134	
Settled by officer Construction Non-construction No Board	31 834	216 63,238	64 944	9,562 66,084	
Construction Non-construction	339 1,329	$\substack{6,897 \\ 246,479}$	497 1,444	39,842 334,74	
Referred to conciliation board Construction Non-construction	d 0 0	0	0	(	
Lapsed or withdrawn Construction Non-construction	17 180	515 12,406	95 245	8,366 25,536	
Assignments pending at March 31	745	64,940	749	85,651	

Remedial Mediation Activity, Fiscal Year 1985/86

1985/86								No	1984/85			
To Disputes	tal Empls.	Stor	ppage olved	Invo	lved	To		Sto Inv	ppage olved		olved	
1,180	186,221	885	130,428	295	55,793	1,066	233,183	797	178,707	269	54,476	
200	32,968	125	24,232	75	8,736	159	18,961	116	15,203	43	3,758	
980	153,253	760	106,196	220	47,057	907	214,222	681	163,504	226	50,718	
1,059	175,686	794	121,547	265	54,139	866	200,215	672	154,475	194	45,740	
716	105,949	546	82,337	170	23,612	678	140,945	546	117,180	132	23,765	
307 6 19	31,900	5	16,900	1	14,817 15,000 462	6	8,272	6	8,272	-	21,115 - 581	
	389	4	141	7	248	12	411	4	132	8	279	
121	10,535	91	8,881	30	1,654	200	32,968	125	24,232	75	8,736	
	1,180 200 980 1,059 716 307 6 19	1,180 186,221 200 32,968 980 153,253 1,059 175,686 716 105,949 307 36,628 6 31,900 19 820 7 11 389	Total Investment   Stop Investment   Stop Investment   No.   Dispute   No.   Dispute   No.   Dispute   No.   No.	Total   Disputes   Empls.   No Work   Stoppage   Involved   No Work   No Work	No Work Stoppage   No Work Stoppage   No Work Stoppage   No	Total	Total	Total	No Work   Stoppage   Involved   Disputes   Empls   Disputes   Disputes   Empls   Disputes   Disputes   Empls   Disputes   Disputes   Empls   Disputes   Disputes   Disputes   Disputes	No Work   Stoppage   Work Stoppage   Involved   Disputes Empls.   Disputes Empls.	No Work   Stoppage   Work Stoppage   Involved   Disputes Empls.   Disputes Empls.	

<sup>\*</sup>includes 3 cases involving 310 employees which were settled by a Disputes Advisory Committee

Post-conciliation or mediation assistance was provided in 980 new cases in 1985/86, compared to 907 cases in 1984/85 (Table 2). The parties reached agreement in 1,023 of the cases that were disposed of, although 248 of them involved a work stoppage.

Mediators played a preventive role in 142 new cases in 1985/86, compared to 71 in 1984/85 (Table 3).

Table 3

Freventive Mediation Activity, Fiscal Year 1985/80									
	1985/ Situations		1984/85 Situations Empls						
Assignments received by officers	211	45,649	124	32,342					
Carried over from previous year	69	13,411	53	18,295					
Assigned to officers during year	142	32,238	71	14,047					
Assignments disposed of by officers	102	20,893	55	18,931					
Assignments pending at March 31	109	24,756	69	13,411					

## Research and Analysis Unit

## L. Haywood Chief Economist

The unit is responsible for research and information activities in the area of labour relations and collective bargaining, including operation of the Collection Agreements Library.

During the year the unit continued to supply the Ontario Labour Relations Board and the Ontario







## **Industrial Relations**

Conciliation and Mediation Services with information on their case activities and with the statistical analyses necessary for them to evaluate their operations. The data are compiled monthly, quarterly and annually, and provide information on the volume of cases being received, processed and disposed of, backlogs and the time taken to process from filing to disposition.

An average of 350 board cases and 400 Conciliation and Mediation Services cases per month are monitored in order to collect and process information on a wide

range of aspects.

Approximately 300 work stoppages are monitored by the unit annually.

The unit prepares a monthly report on collective bargaining settlements that provides summaries of the changes in wages and benefit provisions negotiated in the province in collective agreements concerning 200 or more workers. From the monthly summaries, a quarterly report is prepared that shows the negotiated changes in base wages in both cents-per-hour and percentage terms on an average annual and contact-year basis. These reports are for the use of management and union negotiators and the ministry's conciliation and mediation officers.

The unit carried out analysis and coding of information on the most commonly negotiated provisions in agreements covering 200 or more employees, with the exception of construction industry agreements, and also in all agreements in the public sector, regardless of the number of employees covered, except teachers' agreements. These data are used in many areas of the branch's research activities by the ministry's conciliation and mediation officers and by management and union negotiators involved in the collective bargaining process.

### **Collective Agreements Library**

The Collective Agreements Library maintains an up-to-date file of collective bargaining agreements and arbitration awards covering Ontario employees. The primary purpose of the library is to bring together, in a central location, all collective agreements and related documents covering Ontario employees, regardless of legislative jurisdiction, and to make the file available to those involved in collective bargaining and research. At the end of the fiscal year, the library contained about 9,000 collective agreements covering more than 1,374,000 Ontario employees in industries under federal or provincial jurisdiction.

During the fiscal year the library staff helped over 5,000 visitors representing management, labour unions, industrial relations consultants, law firms, government agencies and the general public to obtain information from the documents on file. In addition, the staff answered more than 4,600 telephone requests for information, which involved searches of agreements for data on wage rates, fringe benefits and working

conditions.

Regular publications of the Research and Analysis Unit include:

Collective Bargaining Settlements and Negotiations in Ontario (monthly);

Wage Developments in Collective Bargaining Settlements in Ontario (quarterly);

Collective Agreements Expirations (annually).

### Office of Arbitration

Jean M. Read Director

The Office of Arbitration assists the minister in carrying out his statutory responsibilities for constituting boards of arbitration and appointing single arbitrators under the Labour Relations Act and the Hospital Labour Disputes Arbitration Act. The office is also responsible for the receipt and processing of requests from employers and trade unions for the appointment of arbitrators and nominees to boards of arbitration. This function involves identifying individuals qualified to act under ministerial appointment, providing administrative services to arbitrators, monitoring the progress of arbitration proceedings and cataloguing arbitration awards for public availability. In association with the Minister of Labour's Labour-Management Advisory Committee, which advises the minister on matters pertaining to arbitration, the office maintains a roster of arbitrators and is actively involved in the training of prospective arbitrators. Through its staff of grievance settlement officers, the Office of Arbitration also provides labour and management with grievance mediation services.

The Office of Arbitration also has responsibility for co-ordinating appeals under the Employment Standards Act and boards of inquiry pursuant to the Human Rights Code. The office publishes, and distributes to members of the industrial relations community, a monthly bulletin that summarizes current arbitration awards. Present circulation is approximately 5,000.

#### **Labour Relations Act**

A primary responsibility of the Office of Arbitration is to administer the expedited grievance arbitration procedure under section 45 of the Act. This statutory procedure may be invoked by either party to a collective agreement as an alternative to the arbitration procedure set out in the agreement. Upon receipt of a request under section 45, the minister is required to appoint a single arbitrator, who must commence to hear the dispute within 21 days of the request. The minister may appoint a grievance settlement office to confer with the parties and attempt to effect a settlement prior to the hearing. Should the dispute proceed to a hearing, the Office of Arbitration





endeavours to encourage a timely release of the award.

An advisory committee has been established under section 45 to advise the minister on matters relating to arbitration, particularly with respect to persons qualified to act as arbitrators. The chairman of the committee is the Assistant Deputy Minister, Industrial Relations Division, and its membership comprises three senior management and three senior labour representatives. A major achievement of the advisory committee has been the development of an arbitrator training program, which is administered by the Office of Arbitration and conducted under the guidance of accomplished arbitrators. Under section 44 of the Act, parties who have elected to follow the arbitration procedure in the collective agreement may request the minister to assist them in constituting a board of arbitration. For example, in the event of one party failing to appoint its nominee to the board or the parties' nominees failing to agree on a chairman, the minister, upon request, may make the necessary appointment. Alternatively, at the request of the parties, the Office of Arbitration will supply them with a list of arbitrators to facilitate their selection of a chairman. On a consensual basis, the services of a grievance settlement officer may also be made available to parties proceeding to arbitration under their collective agreement.

### **Hospital Labour Disputes Arbitration Act**

The Hospital Labour Disputes Arbitration Act provides for compulsory arbitration of unresolved collective bargaining disputes between employers and trade unions representing employees in the health care field. Strikes and lock-outs are prohibited. The Office of Arbitration assists in facilitating the system of arbitration under the Act. It recommends to the minister the names of individuals for appointment as nominees or chairmen of boards of arbitration where parties have failed to constitute a board in accordance with the Act. The Office of Arbitration may also arrange the arbitration hearing, notify the parties and their nominees of the date and place of the hearing and monitor the proceedings to ensure that the award is released within a reasonable time after the hearing.

### **Employment Standards Appeals**

The Office of Arbitration has assumed responsibility for co-ordinating appeal procedures under the Employment Standards Act. This includes employer appeals against orders to pay issued by employment standards officers. Referees are appointed on behalf of the director of the Employment Standards Branch, and the Office of Arbitration handles all administrative procedures with regard to time and venue and ensures that all interested parties have been given due notice of the hearing. Referees appointed to hear these appeals are expected to issue their decisions within three weeks from the date of the final hearing.





## **Industrial Relations**

#### **Human Rights Inquiries**

The Office of Arbitration has also been assigned responsibility for assisting the minister to constitute boards of inquiry under the Human Rights Code and co-ordinating hearing arrangements in accordance with the time limits set out in the Code.

The complement of the Office of Arbitration for 1985/86 was 20, consisting of a director, six grievance settlement officers and 13 clerical and administrative staff

#### 1985/86 Activities

Under section 45 of the Labour Relations Act, 1,709 single arbitrators were appointed. As a result of the involvement of settlement officers, in 1,728 disputes, 1,242 were resolved prior to hearing, for a settlement rate of 71 per cent.

Aside from section 45, the minister was involved in the appointment of 237 arbitrators for parties experiencing difficulty establishing a board of arbitration. On 308 occasions, lists of arbitrators were supplied at the

request of parties.

Services of grievance settlement officers were provided to parties proceeding to arbitration under their collective agreement in 888 cases. Of this number, 667 were resolved, with 157 cases awaiting mediation. The settlement rate in this area was 77 per cent.

Under the Hospital Labour Disputes Arbitration Act, 79 arbitrators were appointed. Lists of arbitrators were provided upon request in 92 cases.

Under the Employment Standards Act, 213 referees were appointed through the Office of Arbitration, while 29 boards of inquiry were set up under the Human Rights Code.

The caseload of the Office of Arbitration is more particularly described in Tables 1 and 2.

The Office of Arbitration received and catalogued 1,958 awards during fiscal year 1985/86. Awards in the amount of 29,035 pages were purchased by the public.

The fifth Arbitrator Development Program commenced in August 1985. Ten people participated in the two workshops and an eight-month internship period, which comprise this program.

Table 1

		1985/80	6	1984/85			
	Labour Relations Act Labour Re						
	5.44	5.40	Total	3.44	3.40	Iotai	
Mediation assignments:							
<ul> <li>carried over from previous vear</li> </ul>	136	79	215	4	6	10	
• made during current year	888	1,728	2,616	661	1,392	2,053	
• outstanding at year end	157	49	206	136	79	215	
Mediation settlements	667	1,242	1,909	424	969	1,393	



Table 2

#### Arbitration Activities During 1984/85 & 1985/86

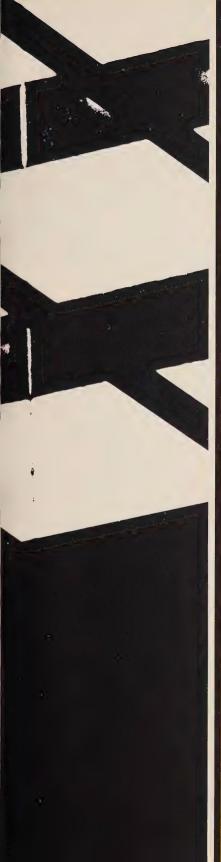
			1985	5/86		1984/85						
	Employ. Stds. Appeals	Human Rights Bds. of Inquiry	H.L.D.A. (Interest Disputes)	Relatio	oour ons Act Disputes) s.45*	TOTAL	Employ. Stds. Appeals	Human Rights Bds. of Inquiry	H.L.D.A. (Interest Disputes)	Relati	oour ons Act Disputes) s.45*	TOTAL
Applications/ Requests carried over from previous												
year Applications/ Requests rec'd.	151	57	269	317	498	1,292	78	6	49	206	105	444
during current year  • Arbitrators/ Referees appointed/	245	38	247	515	2,905	3,950	306	65	281	490	2,374	3,516
arranged	213	29	79	237	1,709	2,267	245	26	108	293	1,302	1,974
<ul><li>Panels provided</li><li>Nominees</li></ul>	X	X	92	308	X	400	X	X	98	351	X	449
appointed Applications/ Requests out-	X	X	О	0	X	О	X	X	3	O	X	,3
standing at year end	116	62	225	427	661	1,491	151	57	269	317	498	1,292
Awards filed Total Awards purchased	89	1	125	1,222	621	1,958	212	7	55	997	517	1,788
(# of pages)	X	X	X	X	X	29,035	X	X	X	X	X	40,080

Legend: O = no activity X = not applicable

\*Expedited grievance arbitration







# **Health and Safety**

Ann E. Robinson, Ph.D., C.Chem, F.C.I.C. Assistant Deputy Minister Brian Goodman, B.A., LL.B, LL.M. Executive Director

The Occupational Health and Safety Division seeks to improve worker health and safety in Ontario workplaces by:

- administering the Occupational Health and Safety Act and regulations;
- reviewing existing programs;
- developing new strategies, regulations, guidelines, codes and hazard alerts to prevent occupation-related injuries and illnesses:
- advising, educating or training (as appropriate) all parties with respect to rights, duties and responsibilities under the legislation.

The assistant deputy minister is responsible for the Strategic Policy Unit, strategic planning with respect to broad policy issues, legislative initiatives and for external relations relating to the field of occupational health and safety.

The Strategic Policy Unit participated in initiatives relating to worker right-to-know by representing the ministry on the inter-agency committee responsible for the implementation of the Workplace Hazardous Information System (WHMIS) and by developing background information leading to the introduction, in January 1986, of Bill 101, which is intended to provide for worker and community right-to-know.

The executive director is responsible for the delivery of services by the six branches of the division, operations policy, the Program Development Unit, which includes the Designated Substances Enforcement Unit, and related administrative program delivery and policy issues.

The complement of the division for 1985/86 was 727.

#### 1985/86 Activities

The division administers the Occupational Health and Safety Act and regulations made under the Act for: construction projects, mines and mining plants, industrial establishments, teachers and university academics, X-ray safety, firefighters' protective equipment, the inventory of agents for the purpose of section 21 of the Act, a regulation defining critical injury and 11 designated substance regulations for the control of exposure to toxic substances that have been designated under section 41 of the Act.

Designated substance regulations for arsenic and for asbestos on construction projects and in buildings and repair operations became law during 1985/86.

A task force co-sponsored by the Ministries of Agriculture and Food, and Labour published a report in October 1985 dealing with the health and safety hazards faced by those engaged in farming operations. A labour management committee established by the minister continued the development of a regulation for the health and safety of workers in health care facilities.

The division has continued to consult with representatives of the diving community to develop a regulation to help ensure the health and safety of the commercial diving community.

The Mining Legislative Review Committee, under the chairmanship of Mr. Paul Hess, continued to review the mining regulations and to propose amendments that are

currently under consideration.

During 1985/86 the division's regulatory initiatives also included the development of draft regulations for X-ray equipment, roll-over protection, window washers, electrical hazards and protective clothing and self-contained breathing apparatus for firefighters, a core regulation for extended coverage workplaces and amendments to the regulations for construction projects.

A major thrust of the division over the fiscal year was the development and implementation of division-wide policies and procedures on the issuance and follow-up of orders, prosecutions and notification prior to inspections. Draft policies and procedures were also developed for complaints, conference attendance, coroner's jury recommendations, hazardous work, records management, refusals to work and release of inspection/investigation reports. Committees that include field staff provided practical input into the development of these policies and procedures.

The division continued to administer the Lottery Awards Program. Funding was approved for many significant programs and projects in the areas of manpower training and applied research. The minister

made awards totalling \$1.5 million.

In order to help the parties meet the requirements of the designated substance regulations, guides to the regulations for benzene, mercury and silica were published.

Summaries of edited legal interpretative opinions concerning the division's legislation were distributed to

interested parties.

Division officials continued to work with other agencies, such as Labour Canada and the Atomic Energy Control Board, that have related interests in complementary legislation. Staff of the division serve as agents of the federal government in administering health and safety standards in uranium mines.

The division continued to provide information to government agencies on the health effects of various chemicals used in Ontario workplaces. Visitors from

other jurisdictions were welcome.

During the 1985/86 fiscal year a total of 123 appeals were initiated under section 32 of the Act. Of this total, 102 related to industrial establishments, 18 to mines and mining plants and three to construction projects. Seventy-eight of these appeals were launched by





# **Health and Safety**

employers, while 45 were initiated by workers or trade unions. The status of the 123 appeals may be summarized as follows:

Status of Appeals	1985/86	1984/85
Settled or withdrawn	32	38
Undergoing mediation	66	24
Stayed because of possible prosecution	N/A*	7
Awaiting grounds	15	6
Decision rendered**	1	2
Hearing in progress or awaiting decision	N/A*	2
Hearing to be scheduled	2	N/A*
Status requested	5	N/A*
Awaiting clarification from appellant	2	N/A*
Total	123	79

\* Not available

\*\* During the 1985/86 fiscal year decisions were rendered in three other appeals initiated prior to April 1, 1985.

The ministry also received notice from the provincial ombudsman that he intended to investigate one complaint that related to the Occupational Health and Safety Division. A second complaint continued to be under investigation.

Four editions of the division's internal newsletter were distributed in the fiscal year.

#### Strategic Policy Unit

On March 31, 1986 the Strategic Policy Unit had a complement of six, including three scientists, a statistician and an external liaison officer. The unit reports to the assistant deputy minister through its manager.

The mandate of the Strategic Policy Unit includes: recommending policy and setting priorities for control of toxic substances and physical hazards; maintaining external liaisons; developing and administering the use of the work injury information system; analysing trends related to adverse effects on health to assess effectiveness of existing control measures; and identifying strategic policy and development needs and priorities for the division on the basis of technical, social and economic factors.

To properly address these tasks a number of activities were continued. Issues considered included the preparation of criteria that may be used to assign priorities for control of toxic substances in the workplace; the use of risk assessment; and alternative control strategies to substance-by-substance designation. Routine monitoring activities were implemented, encompassing review of scientific and technical literature and following relevant trends and activities in other jurisdictions.

The Strategic Policy Unit reviewed and analysed the final reports of studies on wood dust and on 1,3-butadiene. A control strategy has been recommended for gases and fumes from welding operations, while a further study has been recommended for beryllium. Work has been ongoing for a revision to section 145 of the Regulations for Industrial Establishments. A survey of mercury exposure in dental offices was arranged.

Routine monitoring activities have disclosed, on occasion, substances not already on the list of toxic

substances for which adverse health effects have been reported or may be expected. Background information has been collected and reviewed for such substances to allow a determination of whether they should be added

to the priority list.

To ensure that contact with, and access to, officials in other jurisdictions, with regard to technical matters, are maintained, the unit, working through the external relations officer, continued to foster and extend technical contacts with other Canadian health and safety agencies, the regulating agencies in the United States, such as the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA), and with other foreign jurisdictions. Information exchange contacts have been maintained with the European Economic Commission, the International Labour Organization (ILO) and the World Health Organization (WHO). Contacts other than those of a technical consequence are maintained by the Ministry of Labour through the Ministry of Intergovernmental Affairs.

The Strategic Policy Unit has also arranged for officials from other jurisdictions, including the Federal Republic of Germany and the People's Republic of China, to meet with senior officials within the division to allow

for the exchange of ideas and information.

The Strategic Policy Unit has participated in federal/provincial consultation as a member of the Environmental Contaminants Act Consultative Committee, in task groups reporting to the Federal Provincial Committee on Environmental and Occupational Health and with federal committees assessing the need for control strategies for biotechnology and reviewing the Bhopal incident. The Strategic Policy Unit has also assisted in the preparation of Ontario's responses to conventions and recommendations of the ILO.

The Strategic Policy Unit provides statistical information to the division from the work injury information system on a regular basis and on request. The unit is in the process of upgrading the data on the work injury information system and of relating the available data with other relevant databases to provide more meaningful

analysis of trends.

A discussion paper on "The Delivery of Occupational Health Services" has been prepared. This paper contains a survey of how occupational health services are provided within the province and furnishes options for the basis of discussion on the need for better co-ordination of such services.

The issue of smoking in the workplace was considered by the Strategic Policy Unit. A background paper was prepared and options were developed for the consideration of the division's senior officials.

In conjunction with officials from the Ministry of Agriculture and Food, the Report of the Ontario Task Force on Health and Safety in Agriculture was analysed and options were prepared on the implementation of the task force's recommendations.







**Health and Safety** 

Working with officials from the Ministries of the Environment, Transportation and Communications, and the Solicitor-General, unit staff prepared a provincial position paper for the Bhopal Aftermath Review Committee.

Legislation providing for worker right-to-know about potentially hazardous substances in the workplace, has been under active consideration by the unit. The Report of the Workplace Hazardous Material Information System was reviewed by unit staff, who also assisted in the development of Bill 101, and Act to Amend the Occupational Health and Safety Act.

Recognizing the problems caused by lack of literacy skills in the workplace, a meeting of ministries with the mandate for the development of literacy skills was convened. Unit staff also participated in an interministry committee to develop a government plan for

adult basic literacy.

The Strategic Policy Unit has been responsible for preparing responses to memoranda received from the Advisory Council on Occupational Health and Occupational Safety: Memoranda 84-IV "Concerning Policies and Priorities for Dealing with Literacy and Occupational Health and Safety"; 85-I "Criteria and Alternative Approaches for the Control of Hazardous Substances and Agents in the Workplace: Part 1 — Identification of Criteria"; 85-II "Classification of Health Surveillance, Health Screening and Biological Monitoring Procedures in Workplace Biomedical Surveillance Programs"; and 85-IV "Workplace Control Programs".

#### Program Development Unit

On March 31, 1986 the Program Development Unit had a complement of 22. It reports to the exective director of the Occupational Health and Safety Division through its manager. The unit comprises eight occupational health hazards analysts working under the direction of two project managers, an economic analysis group, an operational policy analyst and the newly established Designated Substances Enforcement Unit. The primary responsibility of the economic analysis group is to advise on and assist with economic and cost analysis issues in the development of designated substances and other health and safety regulations.

In fiscal year 1985/86 the Program Development Unit completed development of designated substance regulations for arsenic, and asbestos on construction projects and met with officials of the Advisory Council on Occupational Health and Occupational Safety to discuss these regulations. Summaries of the information received were distributed to all interested parties. The Regulation respecting Asbestos on Construction Projects and in Buildings and Repair Operations was filed on December 16, 1985. The Regulation respecting Arsenic

was filed on March 27, 1986.

A public meeting was held on the proposed regulation for ethylene oxide in September, and a report on the proposed regulation was submitted to the advisory council in March 1986.

Proposed regulations for lead on construction projects and silica on construction projects and in aggregate production were published in The Ontario Gazette in September 1985. Public meetings on these proposed regulations were held in January 1986 for lead and in February 1986 for silica. In addition, a proposed regulation for coal tar products on construction projects was published in *The Ontario Gazette* in January 1986. An amendment to the mercury regulation to include renovation or demolition of chloro-alkali plants in the regulation was published in the same month. Work continued on the development of a proposed regulation for isocyanates on construction projects.

In June 1985 the minister published in *The Ontario* Gazette a Notice of Intention to Designate Solvents. This notice was accompanied by a revised working draft of the proposed solvents regulation, which had been distributed for comment in November 1984. This was the first of the proposed generic regulations, and it addressed about 140 substances. During the year work was also continued on draft generic regulations for carcinogens and irritants. Based on the comments received in response to the notice for solvents, the division is considering a generic regulation, which would deal with classes of substances, not restricted to solvents.

Development continued on the proposed regulations respecting formaldehyde and styrene. Based on recommendations from an expert panel, the proposed formaldehyde regulation was revised in preparation for submission to the advisory council. In addition, a proposed styrene regulation was published in *The* Ontario Gazette on March 15, 1986.

A proposed regulation for cadmium was published in September 1985 and for chromium in January 1986. In March 1986 a public meeting was held to discuss

revisions to the cadmium regulation.

In October 1985 Notices of Intention to Designate Welding and Cutting Fumes and Gases, and Polychlorinated Biphenyls were published. A consultant report on welding fumes and a health effects document had been distributed for public comment in July 1985. The health effects document on polychlorinated biphenyls. is in preparation. In addition, health effects documents for nickel and coal tar products are being prepared by external consultants prior to proceeding with proposed

regulations for these substances.

The unit has developed background information on a number of substances. A report and industrial hygiene survey of worker exposure to benzidine, its congeners and related dyes has been completed. A consultant report on wood dust exposure was completed, and a health effects document is in preparation. An industrial hygiene survey of exposure to trimellitic anhydride was also undertaken during the year. Unit staff completed background reports on 1,3 butadiene and pentachlorophenol as well as detailed guidelines on exposure prevention measures for polychlorinated biphenyls.





Staff completed and published guides for the designated substance regulations respecting benzene, silica and mercury. In addition, staff initiated work on the guides for the regulations respecting acrylonitrile, isocyanates, asbestos on construction projects, and arsenic.

Data sheets were prepared for diphenyl methane isocyanate, lead, mercury, styrene, tetraethyl lead, toluene diisocyanate, 1,1,1-trichloro-ethane, and vinyl

chloride.

The Economic Analysis Section produced monthly reports analysing the relation between labour market conditions and work injury statistics. Background industry profiles were prepared for five industries:

- coal tar pitch products and the construction industry
- cadmium
- leather tanning
- pulp and paper
- textiles

Several jurisdictional comparisons were completed on specific issues, and the section responded to a number of short-term information requests from within the division. Work was completed on the framework for in-depth economic analysis of costs associated with toxic substance regulation.

Discussions were completed with representatives of the petroleum industry, and a draft regulation was produced to cover workers engaged in the offshore

drilling of oil and gas wells.

Summaries of edited legal interpretative opinions concerning the legislation were distributed to interested parties.

The division continued publication of the internal newsletter, and four editions were distributed in the

fiscal year.

An orders policy and procedure, a notification prior to inspection policy and procedure, and a prosecution procedure were developed and distributed to field staff. Draft operational policies and procedures were also developed for complaints, conference attendance, coroner's jury recommendations, hazardous work, records management, refusals to work and release of ministry inspection/investigation reports.

The Designated Substances Enforcement Unit (DSEU) was recommended by the Royal Commission on Matters of Health and Safety Arising From the Use of Asbestos in Ontario. This unit was established in July 1985 with a complement of seven staff: a chief, two occupational hygienists, two special investigations officers and two clerical and administrative staff. As of March 31, 1986,

four positions had been recruited.

The focus of the DSEU is to improve the administration and enforcement of the designated substance regulations (DSRs) by:

• planning and co-ordinating special DSR team inspections;

- assisting in the resolution of disputes between the parties in difficult cases;
- assisting Legal Branch in preparing prosecutions;
- ensuring that improved training in occupational health is provided to the inspectors;
- providing guidance to the ministry inspectorate as well as to management and labour by means of information packages and training materials.

Comprehensive team inspections, coupled with orders with specific compliance dates, and prosecutions of offenders, will act as deterrents to employers and bring home to the workplace parties the importance of complying with special toxic substance regulations.

## Occupational Health Branch

Peter L. Pelmear, MD, FFOM, CCBOM Director

The objective of the Occupational Health Branch is to provide consultation and assistance to ministry inspectors, employers and workers on the recognition, evaluation and control of health hazards in the workplace in order to promote a healthful and safe occupational environment for Ontario's workers. The branch therefore provides support services to the inspection branches of the Ministry of Labour, the Ministries of the Environment and Health and the Worker's Compensation Board.

The branch participates in the development of standards and guidelines to control harmful exposures in industrial environments that may adversely affect the health of workers. Senior staff have participated in the development of the designated substance regulations and have been largely responsible for the development of the codes in these regulations. The codes specify the requirements to be met or exceeded for respiratory equipment and its use, the measurement of airborne designated substances and medical surveillance programs. The branch is now engaged in auditing the medical and hygiene aspects of the control programs established under the designated substance regulations. and provides through its Laboratory Services, at the request of examining physicians, chest X-rays, pulmonary function tests and blood and urine analyses.

The journal, *Occupational Health in Ontario*, is published under the direction of an editorial board, and is available to libraries, health personnel and the general public. The journal provides the reader with informative insights into new scientific and medical opinions in the field of occupational health.

The Occupational Health Branch program is initiated and administered through the branch's three services and a resource section, each of which reports to the director through a chief of service.





The branch's complement during fiscal year 1985/86 was 177. This comprised:

Administration and Resource Section — the director, a manager of program administration, an administrative assistant, a senior consultant, two physicians, one engineer, a scientist, an audiologist, a biostatistician, and 17 support staff.

Medical Service – 15 physicians, nine nurses, 19 technicians, a liaison officer, a survey organizer, an administrator and 15 support staff.

Hygiene Service – chief of service, 19 hygienists and one support staff.

Laboratory Service – chief of service, a principal scientist, four supervisors, 11 scientists, 46 technicians and five support staff.

## 1985/86 Activities

#### Resource Section

The Resource Section provides advice on current issues and occupational health problems in the field. It also provides guidance notes and question/answer circulars that address OHB field consultants and division concerns regarding field investigations.

The notifications of new chemicals introduced in Ontario workplaces and submitted to the director as required by section 21 of the Occupational Health and Safety Act are handled by the senior consultant and the medical toxicologist. The notifications are toxicologically assessed from the data provided. Where a hazard to the health or safety of workers may exist, further reports and assessments are required. Field visits to notifying companies are also performed to evaluate workers' exposure to the new chemicals. To date there have been 166 notifications, including 46 in 1985/86.

The Resource Section assists in the development of codes for designated substances and, in conjunction with the Management Information Systems Branch, is co-ordinating the utilization of a computer system to accommodate all the data received by the OHB. The computer system involves the use of mini-computers, satellite terminals and the Queen's Park data storage facility. The computer is also used by the section for the data analysis of the ongoing research projects.

Source of Resource Section Visit Requests		
Carry over from 1984/85	0	
Industrial Health and Safety Branch	4	
Occupational Health Branch	11	
Other	1	
Total	16	





<b>Resource Section Visits</b>			
	Requests	Field Visits	Outstanding
Carry over from 1984/85	0		
April	0		
May	0		
June	0		
July	2		
August	0		
September	5	4	
October	1		
November	2	4	
December	1	2	
January	4	1	
February	0	4	
March	1	0	
Total	16	15	I

## Occupational Health Medical Service

This service has three sections: physicians, nurses and chest clinics. A senior medical and a senior nursing consultant are located at Head Office in Toronto, and one senior medical consultant is at Kingston. The other consultants are located in field offices, and the inspectorate is in Scarborough, Mississauga, London, Hamilton, Sudbury and Ottawa.

### **Medical Consultants**

The medical consultants work with the industrial, construction and mining inspectors as well as with other members of the branch to investigate situations where health hazards may exist, to evaluate occupational health services and to advise on the establishment of medical surveillance programs. The physicians also act as consultants to the Workers' Compensation Board, hospitals and family physicians. The consultants have participated in branch research projects and in education activities. In total, 722 field visits, 151 joint visits, and 317 air quality comments were done by the medical consultants.

#### **Nursing Consultants**

The nursing consultants visit industries and institutions to audit designated substances medical surveillance programs, promote occupational health programs where none exist and encourage the expansion and upgrading of existing programs.

During 1985/86, 407 field visits were made to audit and promote occupational health services or programs.

Source of Nursing Visit Requests		
Carry over from 1984/85	254	
Industrial Health and Safety Branch	46	
Occupational Health Branch	515	
Workers' Compensation Board	0	
Total	815	

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	Requests	Field Visits	Outstanding
Carry over from 1984/85	254		
April	14	50	
May	38	53	
June	61	65	
July	23	61	
August	57	55	
September	56	60	
October	68	53	
November	54	56	
December	23	62	
January	90	40	
February	59	53	
March	18	49	
Total	815	657	158

## Source of Physican Visit Requests

Carry over from 1984/85	95	
Industrial Health and Safety Branch	180	
Occupational Health Branch	173	
Construction Health and Safety Branch	5	
Mining Health and Safety Branch	13	
Workers' Compensation Board	379	
Other	18	
Total	863	

## Physicians' Visits

	Requests	Field Visits	Outstanding
Carry over from 1984/85	95		
April	66	52	
May	82	68	
June	54	62	
July	56	59	
August	58	64	
September	60	51	
October	62	63	
November	93	63	
December	76	57	
January	45	69	
February	42	55	
March	74	59	
Total	863	722	141

## Occupational Health Hygiene Service

The chief of service is located at Head Office in Toronto, and the occupational health hygienists in field offices with the inspectorate in Scarborough, Mississauga, Hamilton, London, Windsor, Sudbury and Ottawa. They act as consultants to the inspection branches of the Ministry of Labour and may also respond to requests from industry, trade unions, health units and community organizations through the inspectorate, and the Worker's Compensation Board.

The service conducts field investigations of chemical, physical and other health hazards, audits exposure of workers to chemical substances and physical agents and recommends corrective action. These field visits are made to identify and evaluate workers' exposures and to recommend control measures for hazardous substances.





Engineering consultants of the service provide advice to the line branches on the quality of engineering controls during the review of plans and drawings submitted for approval and they conduct follow-up engineering investigations. The service has been actively involved with comments on assessments and control programs.

Field visits are generally unannounced, and the consultant is usually accompanied by an inspector from

one of the ministry's line branches.

In total, 1,413 field visits, 151 joint visits, 801 air quality comments and 33 pre-development reviews were done

by the Hygiene Service staff.

The service has provided significant input in the development of respirator codes for the designated substances. During 1985/86 seven such codes were developed and reviewed. The line branch inspectors, at several regional seminars, were subsequently trained in the application and use of respirator equipment. The service has advised on several issues related to respirator code equivalencies and indoor air quality.

Source of Hygienist Visit Requests		
Carry over from 1984/85	394	
Industrial Health and Safety Branch	1,210	
Occupational Health Branch	120	
Constructon Health and Safety Branch	30	
Workers' Compensation Board	135	
Other	39	
Total	1,928	

Hygienists' Visits			
Charles Harris Donn Daniel annuarit		Field Visits	Outstanding
(including Pre-Development)	keview)		
Carry over from 1984/85	394		
April	150	110	
May	137	136	
June	127	113	
July	119	162	
August	99	135	
September	92	126	
October	122	130	
November	136	90	
December	139	96	
January	116	113	
February	178	111	
March	119	124	
Total	1,928	1,446	482

## Joint Visits Medical, Hygiene and Resource Sections

	Requests	Field Visits (	Outstanding
Carry over from 1984/85	19		
April	13	7	
May	18	19	
June	8	16	
July	13	11	
August	11	10	
September	14	7	
October	15	12	
November	15	15	
December	8	11	
January	11	11	
February	13	13	
March	9	19	
Total	167	151	16

### **Source of Joint Visit Requests**

10 2
10
10
1
45
90
19

#### Summary of Field Visits

Source	Totals
Physicians	722
Nurses	657
Hygienists	1,413
Pre-Development Review (Engineers)	33
Occupational Health Laboratory Technicians	1,092
Resource Section	15
Joint Visits	151
Total Field Visits	4.083

### **Chest Clinics**

During the 1985/86 fiscal year, the computer medical surveillance program (MESU) was implemented in the northern chest clinics, to which miners and other workers go once every two years to receive chest X-rays and pulmonary function tests as required by the designated substances regulations. The program's headquarters are in Sudbury. A major reorganization of reporting procedures and the concentration of medical files in Sudbury was carried out in association with this project. A training program was carried out for staff involved in data entry operation.

In addition, a program was started to cull chest X-ray films that no longer needed to be kept under the regulations. All films were double checked by the physician-in-charge at the Sudbury clinic to retrieve those films that were deemed to be of interest.

The Canadian Pneumoconiosis Reading Panel for standardizing the quality of X-ray interpretations by physicians was established, and the circulation of X-rays and reports will commence in the next fiscal year 1986/87. This quality control project is being undertaken





Chest X-ray Examinations		
Silica Mines	9,377	
Silica Foundry	5,858	
Silica Others	10,763	
Asbestos	3,033	
Asbestos and Silica	867	
Others	3,002	
Total	32,900	

#### **Silicosis**

Of 25,998 workers screened for silica exposures, radiological evidence of silicosis was reported in 49. Nineteen of these were newly diagnosed.

	Previously Reported	Newly Diagnosed	Total
Silicosis	30	19	49
Complicated Silicosis	0	0	0
Total	30	19	49

A total of 13,108 miners were examined. Twelve miners were found to have newly developed radiographically suspected silicosis.

## Asbestosis

Of 3,900 workers screened for asbestos exposure, radiological evidence of asbestosis was reported in 10. Three of these cases were newly diagnosed.

	Previously Reported		TOTAL
Asbestos Exposure	5	2	7
Asbestos/Silica Exposure	2	1	3
Total	7	3	10

Clinic Location	Number of Workers Examined	Number of Chest X-rays	Number of Pulmonary Function Tests	
Elliot Lake	2,439	2,439	2,426	
Kirkland Lake	1,000	1,000	994	
Sudbury	5,475	5,475	4,311	
Timmins	2,450	2,450	2,449	
Thunder Bay	1,744	1,744	1,513	
Toronto	19,792	19,792	19,047	
Total	32,900	32,900	30,740	

in association with the Occupational Health program at McMaster University. The statistical analysis of the physicians' reports will be carried out under the chest clinic computer program.

A retrospective study of silicosis in Ontario miners was completed in association with staff from McMaster University, and data gathering for a small study of control subjects in the evaluation of exertional breathlessness in pulmonary disability claimants was completed.

A review of chest X-ray and lung function data on all active hard metal industry workers in Ontario was started, and its first phase was completed by the end of the fiscal year.

## (a) Chest X-rays

 Chest X-ray examinations were carried out mainly for the surveillance of workers exposed to the designated substances – silica and asbestos. Screening of smaller groups of workers exposed to other respiratory hazards, such as beryllium, hard metal (tungsten carbide and cobalt), nepheline syenite and cadmium, continued.

- A total of 32,900 workers were examined. Of these, 25,998 were for silica exposure, 3,033 for asbestos exposure, 867 for combined silica and asbestos exposure, and 3,002 for exposure to other respiratory hazards.
- Nineteen workers were found to have newlydeveloped radiographically suspected silicosis.
- Newly-developed radiographically suspected pulmonary parenchymal asbestosis was found in three workers.
- Twelve workers were suspected as having pulmonary malignancy.
- Fifty-five workers were diagnosed as having dust effects, i.e. showing an X-ray pattern that was consistent with the earliest possible appearance of pneumoconiosis, but of insufficient degree to make a firm X-ray diagnosis.
- During 1985, 659 examinations were done on claimants for evaluation by the Advisory Committee on Occupational Chest Disease.

## (b) Pulmonary Function

- The use of forced expiratory spirometry (with portable spirometers) continues to be one of the mainstays of the surveillance program.
- A respiratory questionnaire and upgrading system for estimating the quality of spirometric tracings are

Pulmonary Function Tests					
Exposure Group	Number of Employees	Abnormalities* # Tests % of Total			
Silcia Mines	7,995	406	5.1		
Silcia Foundry	5,949	238	4.0		
Silcia Others	10,680	386	3.6		
Asbestos	3,045	110	3.6		
Asbestos/Silica	883	41	4.6		
Others	2,188	74	3.4		
Total	20.740	1 255	4.1		

<sup>\*</sup>Significant abnormalities determined by Crapo et al., are categorized as moderate, moderately severe, severe obstruction or restriction, and combined obstruction with restriction.

Summary	
Activities	
Number of X-rays	32,900
Number of pulmonary function tests	30,740
Results and Findings	
New cases of suspected silicosis	19
New cases of suspected asbestosis	3
New cases of suspected dust effects	55
New cases of suspected other pneumoconioses	2
Suspected neoplasms	12
Suspected TB	7
Suspected sarcoidosis	9





now fully in use, and every effort is made to maintain quality control of both the tracings and equipment.

• During the year the laboratory staff analysed 30,740 spirometric tracings.

## **Occupational Health Laboratory**

The laboratory provides analytical and air sampling services to the medical and hygiene services of the branch. Analyses are also requested by physicians, health units and other government agencies.

Approximately 43 per cent of analyses are of blood and urine samples collected from workers exposed to hazardous substances; these samples are collected as part of medical surveillance programs. Analyses include determination of lead in blood, mercury, lead or cadmium in urine and cholinesterase in blood.

Analyses of filtering media used during air sampling procedures or of material samples of unknown identity or composition account for the remainder of the laboratory's caseload.

In this year, approximately 38 per cent of all analyses were directly or indirectly related to the ten designated substances for which regulations have been filed.

Some new analytical methods were developed and some old ones were reviewed and improved. This helped the laboratory to keep abreast of the technical requirements of air quality assessments in general, and to analyse and identify new occupational health hazards.

A total of 1,092 field visits were made by the occupational health technicians to sample the exposure levels of workers to chemical substances and physical agents at the request of branch consultants. They have also participated in branch research projects.

The service has developed codes for air sampling and

Environmental Assessment Requests		
Carry over from 1984/85	239	
Industrial Health and Safety Branch	1	
Occupational Health Branch	1,064	
Total	1,304	

Environmental Assessments					
	Requests	Field Visits	Outstanding		
Carry over from 1984/85	239				
April	115	99			
May	91	101			
June	87	101			
July	109	123			
August	96	100			
September	78	77			
October	76	85			
November	76	64			
December	92	73			
January	85	88			
February	82	89			
March	78	92			
Total	1,304	1,092	212		

analyses for designated substances regulations; has maintained a proficiency testing program with private laboratories for air samples generated in the laboratory and a similar proficiency testing program for clinical samples; and has extended its existing program to computerize all analytical data generated.

Summary of Analyses	
Clinical Samples	38,507
Materials Samples	2,395
Air Samples	35,585
Physical Agents	12,680
Total Number of Analyses	89,167
Samples sent to Private	
Laboratories for Proficiency Testing	1,217

Analyses						
	Physical Agents	Air Samples	Bulk Samples	Clinical Samples	Total	
Acrylonitrile	0	118	2	0	120	
Asbestos	647	0	367	0	1,014	
Benzene	0	511	15	545	1,071	
Coke Oven Emissions	0	132	0	0	132	
Cristobalite	0	0	0	0	0	
Isocyanates	0	1,583	22	0	1,605	
Lead	0	1,488	77	24,049	25,614	
Mercury	0	185	5	2,744	2,934	
Silica (Quartz)	0	786	118	0	904	
Vinyl Chloride	0	272	0	0	272	
Other	12,033	30,510	1,789	11,169	55,501	
Total	12,680	35,585	2,395	38,507	89,167	

Materials: Summary of Source				
IHSB	153	Special Surveys	113	
OHB	458	Solicitor General	1	
MHSB	75	CSAO	1	
CHSB	57	Other	28	
Health Units	15	Total	901	

## **Construction Health and Safety Branch**

D.M. Pizak, P. Eng Director

The Construction Health and Safety Branch is responsible for encouraging construction employers and workers to implement the most appropriate measures and procedures to reduce the incidence of accidents and illnesses associated with construction operations across Ontario. The branch administers and enforces the requirements of the Occupational Health and Safety Act. R.S.O. 1980, C.321, and Regulations for Construction Projects. This legislation applies to a dynamic industry work force estimated to be 248,000 during the fiscal year 1985/86. The industry encompasses activities such as erection, alteration, repair and demolition of buildings and structures, the construction of shafts and tunnels, including work in compressed air, on highways, railways, sewers and watermains and working with conductors of electrical energy, solids, liquids or gases. The branch is





also responsible for ensuring that workers engaged in window cleaning operations comply with legislation (Ontario Regulation 156/84) enacted during the fiscal year 1983/84.

Officials of the branch engage in continuous dialogue with the construction industry by pre-construction consultations, consultation in the workplace during construction and by active participation at meetings convened by district and regional health and safety committees. Both labour and management in the construction industry have recognized the advantages of working co-operatively with the branch, and have established district and regional committees composed of labour and management representatives from a variety of construction trades. Their focal point is the Provincial Labour-Management Health and Safety Committee, based in Toronto. The branch director attends monthly meetings of this committee and takes an active role in assisting its members in their understanding of the Act and Regulations for Construction Projects. He also presents the ministry's views on health and safety in the construction industry. Branch officials at all levels similarly participate at monthly meetings of local district and regional health and safety committees.

Officers of the branch inspect construction projects at regular intervals. When potential health or safety hazards are identified, every effort is made to encourage workers and management representatives to correct problems in compliance with the requirements of the legislation. Strategies, including prosecutions, are also implemented to obtain compliance, particularly when the identified hazards could result in serious or fatal injuries to workers. Consultations on projects afford workers who do not have union affiliation with opportunities to understand the specific requirements of

the legislation.

The branch investigates the circumstances related to fatal, critical and serious accidents in addition to "near misses" involving the use of heavy equipment and machinery where no personal injuries are sustained. It is branch policy to investigate every complaint concerning construction activity without revealing the identity of the complainant. Branch officials also investigate situations where workers refuse work that they consider to be a danger to their health and safety. During 1985/86 the branch investigated seven work refusals.

## **Branch Organization**

The branch is organized into four subdivisions for purposes of administration, with the director centrally located in Head Office. He is assisted by a senior consultant, three regional administrators and a manager of program administration. The three administrators oversee the operational activities of local district construction safety managers, who supervise teams of construction safety officers within each of the three regions. A specialist team responsible for inspecting underground construction operations throughout the

province is located in the Head Office. Regional engineers provide a technical consultation service to line managers and officers within the region to which they have been assigned. The senior consultant and manager of program administration provide technical and administrative support to the director and line staff of the branch.

On March 31, 1986 the Construction Health and Safety Branch had a total complement of 105 staff, comprising one director, three regional administrators, 16 district managers, four regional engineers, 69 field inspectors, four technical/administrative management and eight clerical support staff.

### 1985/86 Activities

During the 1985/86 fiscal year construction health and safety officers completed 46,552 inspections of construction projects. A total of 23,507 orders were issued during these inspections, compared with 23,552 during the previous fiscal year. Included in the total number of inspections were 831 inspections of 208 underground projects. A total of 243 orders were issued during these underground inspections.

During 1985/86, 27 fatal accidents were reported compared to 31 during the previous year.

Inchacti	an and	Fatal	ity Data
пиэресп	vii allu	ratai	ity Data

	1985/86	1984/85
Complement	105	110
Workers in the Work Force	248,000	243,000
Projects/Establishments	*16,849	11,545
Non-Fatal Accidents Reported	15,424	8,663
Accidents Investigated	921	838
Fatalities Investigated	27	**29
Refusals to Work Investigated	7	2
Complaints Investigated	1,106	1,256
Inspections	46,552	55,726
Orders Issued	23,507	23,552
Stop Work Orders Issued	560	615
Consultations	***1,894	905
Case Prosecutions	361	238
Convictions	334	199
Fines	\$277,509	\$260,091
Revenue	\$ 4,862	Nil

\* Includes non-notifiable projects

\*\*\* Includes engineering consultations

## **Legislation Review**

The branch continued its review of proposed amendments to the construction regulations. Input from the industry, including technological changes, together with issues arising from coroners' jury recommendations and branch experience have been considered.



<sup>\*\*</sup> Revised after publication – Two fatalities subsequently allocated to other jurisdictions



## **Industrial Health and Safety Branch**

W.S. Melinyshyn, P.Eng *Director* 

The Industrial Health and Safety Branch is responsible for ensuring implementation of effective occupational health and safety programs designed to reduce the incidence of illness and/or injury caused by industrial activities and processes across the province. The branch administers and enforces the Occupational Health and Safety Act and Regulations for Industrial Establishments, and the Designated Substance Regulations.

The Act applies to an estimated 3.2 million workers in more than 150,000 industrial establishments/institutions in Ontario, including those employed in industry, logging, hospitals, schools, colleges, universities, police, fire, detention and correctional institutions, transportation

and municipalities.

Employers and employees themselves have the primary responsibility of occupation ! health and safety programs in their workplaces, and they are encouraged to meet their individual responsibilities. Officers of the branch inspect workplaces at various intervals and always in conjunction with the system supporting self-regulation and involvement by labour and management.

The branch conducts investigations into deaths, critical injuries, serious accidents and complaints about working conditions as well as into situations where workers refuse to work because they have reason to believe that their health or safety is endangered and they have been unable to resolve the issue with the employer

and worker representatives.

The increasing use of toxic chemicals and agents in the workplace requires careful monitoring to establish controls of potential health hazards. The branch works closely with the professional staff in the Occupational Health Branch to evaluate the hazards and take appropriate action. The branch staff devote particular attention to the implementation of the designated substance regulations as they become law and follow up to ensure that compliance with the regulations is achieved.

Professional engineers on staff with the branch review drawings of new industrial buildings or proposed alterations to existing structures and provide professional technical expertise to ensure compliance with the Act and regulations.

On March 31, 1985 the Industrial Health and Safety Branch had a staff of 175, including one director, 165 field

staff and nine support staff.

## 1985/86 Activities

During the year, officials of the Industrial Health and Safety Branch completed 41,628 inspections, 6,106 investigations and issued a total of 49,269 orders. The number of fatalities in establishments under the

branch's jurisdiction decreased to 42 from 46. Of these, 38 occurred in industrial workplaces and four occurred at logging operations.

Inspection and Fatality Data	1985/86	1984/85
Complement	175	175
*Workers in the Work Force	3,200,000	3,300,000
Projects/Establishments	150,000	150,000
Accidents Investigated	1,179	874
Fatalities Investigated	42	46
Refusals to Work Investigated	344	281
Complaints Investigated	1,525	1,016
Telephone Enquiries	73,283	54,165
Consultations	1,211	882
Appearance at Inquest or Trial	237	218
Other Investigations	3,016	3,815
Inspections	41,628	40,445
Orders Issued	49,269	50,643
Stop Work Orders Issued	1,645	924
Pre-Development Review (Plans Review)	3,175	2,659
Case Prosecutions	75	91
Convictions	56	50
Fines	\$148,700	**\$146,000
Revenue	\$1,128,527	**\$854,759

 <sup>\*</sup> Updated work force figures – Source: Statistics Canada Labour Force Report (July 1985) and Employment, Earnings and Hours Report (August 1985).
 \*\*Corrected figures. Incorrect amounts reported in 1984/85 Annual Report.

## Industrial Health and Safety Branch and Ministry of Industry, Trade and Technology

The branch has established a comprehensive system with the Ministry of Industry, Trade and Technology to provide compliance information on firms applying to the Automotive Parts Investment Fund.

#### Hazard Alerts

The Industrial Health and Safety Branch has adopted a system of hazard alerts specifically directed at certain areas causing problems. Areas where alerts have been issued during the fiscal year 1985/86 are:

- 1) Manholes in Sewers
- 2) Chicots
- 3) Sewer Cleaning Bucket Machines
- 4) Refuse Packer Trucks
- 5) Hang Up Trees
- 6) Entry into Septic and Sewage Holding Tanks

## **Data Base Expansion**

The branch has developed a computerized system to enhance its ability to register new companies by utilizing Workers' Compensation Board computer file data. Full implementation and cyclical inspections began in the 1985/86 fiscal year.

### **Designated Substances**

Procedures for handling newly designated substance regulations provide for the distribution of an initial information package to the workplace. The package consists of an introductory letter, which outlines the basic requirements of the new regulation, a compliance notification questionnaire and a copy of the regulation.

The branch computer system was expanded in 1984 to incorporate compliance information on designated





substance workplaces. Reports can now be produced listing the compliance status on assessments and control programs in each workplace known to the branch to be using a designated substance. These monthly reports now serve as a management tool for the inspectorate as well as a source of statistical information.

## Mining Health and Safety Branch

V. Pakalnis, P. Eng\*
Director

The objective of the Mining Health and Safety Branch is to reduce the risk of death and injury to workers in Ontario mines and mining plants.

The branch encourages employers and workers in the mining industry to achieve this goal by co-operative identification and control of health and safety hazards in workplaces under its jurisdiction.

The branch administers the Occupational Health and Safety Act, R.S.O. 1980, C.321, Revised Regulations of Ontario 569/83 for Mines and Mining Plants, and designated substances regulations.

The branch's activities apply to 172 underground mines, 53 open-pit mines, 6,455 sand and gravel pits and quarries, 64 metallurgical and ore processing plants and 49 clay, shale and peat workings.

The Mining Health and Safety Branch has a complement of 91 persons, including nine mine rescue training officers and five wire rope technicians.

### 1985/86 Activities

The branch's activities cover some 45,557 workers at 6,842 operations in underground mines and open pits, diamond drilling and some associated industrial establishments and construction sites.

There are 60 staff appointed as inspectors under the Act, including 21 district engineers and nine employed in senior management. The inspectorate is specialized in three main disciplines: mining, electrical-mechanical, and working environment.

The branch's activities include the following areas: Inspection Program; Investigation Program; Legislation Review; Wire Rope Testing; Working Environment Surveys; Education and Guidance-Regulation Modules; Pre-Development Review; Mine Rescue Program; Ground Control.

#### **Inspection Program**

The Inspection Program is an ongoing program to audit compliance with the Act and regulations by physical inspection of workplace practices and conditions.

Included in this program is an ongoing analysis and review of the performance of the internal responsibility system at each workplace. The results of this review

influence the type and frequency of inspection carried out by the branch in that workplace.

Types of operation inspected are:

Industry Statistics							
	1985/		1984/				
	Operations	Workers	Operations	Workers			
Underground Mines	172	23,029	160	23,945			
Open Pit Mines	53	2,089	65	1,901			
Ouarries	413	3,219	398	3,195			
Clay and Shale Pits	29	115	34	99			
Sand and Gravel Pits	6,042	8,157	5,917	8,726			
Peat Workings	20	56	21	61			
Brine Wells	2	12	1	-			
Metallurgical Plants	30	7,794	30	7,788			
Metallurgical Labs	12	401	11	445			
Aggregate Plants	22	458	22	362			
Diamond Drilling							
Operations	47	227	38	147			
Total	6,842	45,557	6,697	46,669			

Where inspections reveal contraventions of the Act or regulations, orders are written that specify a time for compliance. Orders are followed up to ensure compliance, and prosecutions are undertaken where appropriate.

In 1985/86, 5,111 inspections were made and 3,605 orders were issued, of which, 188 constituted stop work orders.

## **Investigation Program**

The Mining Health and Safety Branch carries out investigations of all fatal accidents, serious accidents, unusual occurrences, refusals to work and other occupational health and safety complaints from workers in the mining sector. Ministry staff may be reached 24 hours a day to investigate fatalities, serious accidents or refusals to work.

All fatalities are investigated, and detailed reports of the investigations are published. During the fiscal year 1985/86, 14 fatalities were investigated.

The branch has developed a computer program to collect and analyse data on the types of non-fatal injuries reported and/or the cause of serious accidents and unusual occurrences.

The branch investigates cases of refusals to work that have been reported to them by employers and workers or their representatives. There were 29 investigations into work refusals in 1985/86. The branch staff also investigates other complaints concerning unsafe or unhealthy conditions.

## **Legislation Review**

As a result of investigations into critical injuries and fatalities and as a result of pre-development reviews of employers' projects and engineering reviews of mines and plants, the regulations are scrutinized for their sufficiency and currency.

The Ministry of Labour maintains the Mining Legislation Review Committee, consisting of an equal





number of representatives from labour and management in the mining industry, which meets quarterly to discuss regulatory changes. During 1985/86, 26 new or revised sections of the regulations were recommended to the minister.

The committee establishes a mechanism for maintaining the mining health and safety regulations in a technically current and updated form, resulting in a high level of acceptance and credibility.

## **Wire Rope Testing**

By statute, all wire rope used in the mine hoisting installations must be tested by the Government of Ontario Wire Rope Testing Laboratory before use and at intervals during service. Each rope is examined for corrosion, lubrication and wear and is tested for individual wire ductility and total rope strength. For the rope strength testing, the laboratory has three tensile machines available: two 1,000,000-lb. machines and a 400,000-lb. machine. During 1985/86 the laboratory completed 874 tests.

## **Working Environmental Surveys**

In 1985/86 the Mining Health and Safety Branch employed nine inspectors who specialized in enforcing health-related regulations at mines. As part of their duties these working environment inspectors make surveys by taking samples of mine air to determine worker exposures to dusts, gases and fumes.

Another major activity was the testing of cap lamps to determine their light output. The branch also employs a working environment engineer who conducts engineering reviews of existing and proposed mines and mining plants for health-related concerns.

## **Education and Guidance — Regulation Modules**

The Mining Health and Safety Branch provides education and guidance on health and safety matters to employers and employees in the mining industry.

The branch prepares Information Sheets and Hazard Alerts, which serve as supplementary explanatory material on the regulations for use by branch inspectors and by the mining industry.

The Mining Health and Safety Branch, in conjunction with industry, labour and safety associations, completed production of 40 modules. These modules are designed to train supervisors, worker inspectors, health and safety committees and MHSB inspectors in the requirements of the Regulations for Mines and Mining Plants. They consist of a manual and an audio-visual presentation (sound/slide and videotape) and are available to the mining industry from the Mines Accident Prevention Association of Ontario (MAPAO).

## Pre-Development Review

The mining regulations under the Occupational Health and Safety Act specify that the Mining Health and Safety Branch director must receive notification of all new developments or construction, introduction of new process technology, use of new methods of construction or of equipment installation, major alterations of mining techniques or technology or the making of major additions or alterations. Branch staff then review the plans to check for compliance with the Act and regulations so as to reduce the possibility of designed-in occupational health and safety hazards. Employees also receive notification of the new developments through their joint health and safety committee representative.

### Mine Rescue Program

This program trains mine rescue teams at each mine in the direction and control of special emergency preparedness and mine rescue procedures.

The director of the Mining Health and Safety Branch has overall responsibility for the mine rescue program in Ontario. The training officers maintain a number of stations and substations equipped with breathing apparatus and firefighting equipment, as well as other emergency equipment and supplies, to respond immediately to any mine emergency.

This program is funded by direct assessment on the mining industry through the Workers' Compensation Board.

Eight mine rescue training officers and the senior mine rescue officer divide their time between training new miners in mine rescue techniques, holding refresher training courses to keep active mine rescue personnel prepared to handle rescue emergencies and fires, checking and maintaining mine rescue breathing apparatus in manned and unmanned rescue stations and holding mine rescue competitions to allow trained rescue personnel to test their preparedness.

During 1985/86 659 men participated in the mine rescue training program, and 38 seven-man teams competed in eight district mine rescue competitions. One hundred and seventy-four supervisors underwent supervisory and management training in mine rescue. Sixteen fires were responded to, in addition to many calls to be on the alert for emergencies or fire drills.

Training involved 716 eight-hour training days and 4,336 eight-hour man-days of training. This total does not include extra district and provincial competition training or emergency assistance.

The branch has embarked upon improving its emergency preparedness capabilities for non-fire emergencies. New equipment for monitoring and locating trapped miners is being evaluated for acquisition along with lifting bags, special jacks and low profile portable cutting and prying equipment.

## Provincial Inquiry into Ground Control and Emergency Preparedness in Ontario Mines

The labour/management/government inquiry was established in October 1984 subsequent to a tragic rockburst in Falconbridge Number 5 shaft. The inquiry spent a total of 46 days conducting public hearings in mining communities throughout Ontario and visited 15 mines. The committee received a total of 48 briefs and







communications from interested parties, including the Mining Health and Safety Branch of the Ministry of Labour.

The report of the Provincial Inquiry into Ground Control and Emergency Preparedness in Ontario Mines was issued in March 1986. The report contains 60 recommendations for improving ground control and emergency preparedness in underground mines. The ministry is committed to implementing these recommendations in the shortest time frame possible.

Mining Health and Safety Data						
Branch Statistics	1985/86	1984/85				
Complement	91	91				
Mine Rescue Staff	9	9				
Wire Rope Staff	5	5				
Administrative Support Staff	17	17				
Inspectorate	60	60				
Number of Mine Rescue Stations	8	8				
Number of Mine Rescue Substations	37	31				
Miners Under Training in Mine Rescue	659*	670*				
Wire Rope Tests	874	948				
Revenue from Wire Rope Tests	\$182,600	\$177,500				
Non Fatal Accidents Investigated	3,986	4,993				
Critical Injuries Investigated	61	56				
Fatalities Investigated	14	15				
Refusals to Work Investigated	29	25				
Unusual Occurrences Investigated	349	339				
Hours Spent Investigating Complaints	2,786	1,918				
Hours Spent on Pre-Development Review	11,400	10,098				
Number of Inspection Reports	5,111	4,930				
Number of Orders Issued	3,605	4,690				
Number of Stop Work Orders	188	127				
Prosecution Cases	5	4				
Convictions	3	3				
Revenue from Fines Collected	\$ 12,000	\$ 4,603				

<sup>\*</sup>These figures are for the period January 1 – December 31.

#### **Jurisdiction in Uranium Mines**

Following an agreement reached in June 1984, the Ontario Ministry of Labour provides inspection, administrative, enforcement and related services for non-radiological health and safety in uranium mines in Elliot Lake on a charge-back basis to the Atomic Energy Control Board.

#### Joint Activities with Outside Agencies

The Ministry of Labour, through the Mining Health and Safety Branch, is involved in a number of co-operative research programs with the federal Department of Energy, Mines and Resources (CANMET) and the U.S. Bureau of Mines. These initiatives include programs on: a) diesel emissions in underground mines; b) wire rope and hoisting technology; c) ground control and emergency preparedness. New programs are being studied on the subjects of sulphide dust explosions and robotics.

This sharing of information and collaborative research has been instrumental in the development of a ceramic diesel exhaust filter, which will improve the mine working environment and reduce diesel emissions.

## **Special Studies and Services Branch**

Geoffrey R. Wright, P.Eng., Ph.D. Director

This branch is concerned primarily with programs to prevent illness and injury. Its responsibilities are to:

- support the development of the Occupational Health and Safety Division's regulatory strategies by:
  - (a) acting as a resource to the division on the long-term health effects of exposure to various toxic or hazardous agents;
  - (b) keeping abreast of world literature on the causes and prevention of occupationally-related diseases and injuries;
- carry out short- and long-term investigations of health problems associated with occupational exposure to hazardous agents;
- evaluate the health of particular groups at risk, such as miners and workers exposed to silica or asbestos, and community groups exposed to chemical and physical agents in the environment;
- conduct and/or sponsor research related to problems of occupational exposure to hazardous agents and to evaluate the health status of exposed workers;
- monitor the use of radioactive materials insofar as the province has jurisdiction;
- conduct studies and research in the area of occupational safety, and act as a resource in matters relating to the safety of work procedures;
- assist in preparing contingency plans by providing technical support and planning for emergencies relating to nuclear generating stations.

Activities and services to meet the branch objective are conducted by four separate, but interrelated, services: Health Studies Service, Safety Studies Service, Radiation Protection Service and Radiation Protection Laboratory.

On March 31, 1986 the Special Studies and Services Branch had a complement of 72: Radiation Protection Service, 20, Radiation Protection Laboratory, 22, Health Studies Service, 18, Safety Studies Service, seven, and Administration, five.

#### 1985/86 Activities

#### **Health Studies Service**

This service provides information and consultation, and carries out studies on the possible long-term health effects of various agents associated with industrial processes, and makes recommendations for levels of exposure in industry.

The service co-operates with other branches as well as with the Workers' Compensation Board, the Ministry of the Environment, the Ministry of Health, the Atomic





Energy Control Board and other groups concerned with the health of workers and the effects of industrial pollution on the general community.

An important activity of the service is the preparation of health effects documents on chemicals either proposed for designation or under review by the Ministry of Labour. Six health effects documents were prepared in 1985/86.

Support for other ministries, particularly the Ministries of the Environment and Health, and for medical officers of health, includes the provision of advice on toxic effects, and establishing standards and guidelines for community groups exposed to chemical or physical agents in air, water or hazardous wastes. Thirty-one health criteria reports and exposure guidelines were prepared in 1985/86 for the Ministry of the Environment. Also, health advice was provided during emergency situations to the Ministry of the Environment.

### Safety Studies Service

This service undertakes multidisciplinary investigations of factors that contribute to occupational accidents and diseases. Its staff includes six professionals representing engineering, ergonomics, biomechanics, applied physiology and psychology. This multidisciplinary approach allows insight into the short- and long-term effects of various actions, procedures, equipment and environmental factors in the workplace. Staff act in a consultative capacity for the line branches by preparing technical reports following work site investigations and by giving seminars on safety-related topics. Research objectives are formulated to provide information on applied problems in order to reduce occupational injuries and diseases within the province. The objectives are achieved through the combined use of existing information and self-initiated data collection. The information obtained is disseminated through the consultative role of the service, seminars and in published reports.

Some areas of study activity include commercial diving, manual materials handling, repetitive strain injury, shiftwork, heat stress, degenerative disease of the lumbar spine, physically disabled individuals and the ergonomic considerations of office work, including

visual display terminals.

Particular activities of the service include:

• 67 work site investigations were conducted in 1985/86. Examples of such investigations include the safe lifting of objects, proper design and use of hand tools, occupational diving and office ergonomics;

• development of technical material related to window washing support systems, helping behaviour and safety were completed in 1985/86.

Seminars have been presented on:

- stress reduction;
- work physiology;
- ergonomics;
- ergonomic design of the office environment;
- heat stress:
- repetitive strain injury.

#### **Radiation Protection Service**

The service's responsibility is to protect the public from unnecessary exposure to radiation in working and living environments in the province's jurisdiction. In addition, all scientific and technical staff in the Radiation Protection Service perform key functions in the provincial nuclear off-site contingency plan, which would be put into effect in the event of an accident at a nuclear reactor facility.

Ongoing programs of the service during 1985/86 have been:

- safety inspection of X-ray installations in industry, educational institutions and veterinary practice (438 X-ray inspections, 68 plans checked for adequacy of radiation shielding);
- safety inspection of commercial microwave ovens (1,156 ovens checked for radiation leakage);
- on behalf of the Ministry of Housing, measurements of radon daughter concentrations occurring in newly constructed houses in Elliot Lake for compliance with a standard in O/Reg. 555/78 under the Building Code Act (747 houses rechecked);
- monitoring of 113 instances of high personal dosimeter readings;
- 114 safety inspections were made at 62 locations where some form of non-ionizing radiation was being used, including 145 radio frequency heat sealers and eight laser systems. A number of these locations were identified in a survey conducted in previous years;
- inspection on request of a number of locations for radioisotopic contamination;
- technical and operational planning for possible releases of radioactive material from nuclear power plants or transportation accidents involving radioisotope shipments;
- maintenance of a network of 82 environmental radioactivity monitors to assess the impact of a release from a reactor in Ontario or from U.S. reactors in close proximity to this province. Includes quarterly exchange





and readout of detectors from 82 environmental monitors:

- maintenance of environmental radioactivity data on computer to allow rapid access to records in the event of a release from a nuclear installation.
- provide advice, information and assistance to industry, government agencies and the public on all aspects of radiation protection.

Work has continued in the development of new methods of measurement, evaluation of new instruments, construction of special instruments, maintenance and calibration of equipment and development of instrument calibration facilities with a view to more complete, reliable and faster evaluation of radiological hazards.

A final draft of a new X-ray Safety Regulation has been prepared. Investigation and assessment of new radiation hazards, particularly the various forms of non-ionizing radiation, has continued.

A first draft has been completed of a new regulation governing naturally-occurring radionuclides.

#### Radiation Protection Laboratory

This laboratory provides a capability for the analysis of a wide range of radioactive substances, and serves all provincial agencies charged with the responsibility for programs associated with the surveillance of uranium mining, milling and processing plants, nuclear reactors and other facilities that use radioactive isotopes.

The laboratory provides technical advice to provincial agencies and to industry on establishing or improving their analytical capability, on interpreting results and designing surveillance programs. Methodology development and improvement is a continuous process.

During the year, a total of 20,099 measurements were carried out for these various programs.

A breakdown of the measurements carried out on the various types of samples is shown in the following table:

Type of Samples	Analysed	d During	1985/86
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Type of Sample	No. of Measurements
1. Water	9,817
2. Air filter	5,193
3. Air filter extracts	841
4. Urine	1,983
5. Swipes	1,084
6. Milk	398
7. Soil and sediment	149
8. Precipitation	151
9. Tritium cells	197
10. Radon daughter counting equipment	77
11. Blood, hair, tissue	119
<b>12.</b> Air	14
13. Foodstuff	4
14. Radioiodine cartridges	23
15. Miscellaneous	49
Total	20,099

Work on the development of methodology included procedures for:

- measuring plutonium in river sediments;
- measuring nickel-63 swipes by liquid scintillation spectrometry;
- measuring lead-210 by using a planar hyperpure gamma detector;
- preparing thorium-234 tracer for use in thorium determination.

A total of 494 measurements of radionuclides in water samples were carried out to support the surveillance and monitoring requirements under the International Joint Commission's 1978 Great Lakes Water Quality Agreement. This activity has been completed and has been replaced by one to examine fish samples taken from uranium producing areas.

Inter-laboratory comparison measurements were carried out regularly during the year between the United States Environmental Protection Agency, the International Atomic Energy Agency and the Atomic Energy Control Board.

## **Standards and Programs Branch**

Alan D. Heath Director

The responsibilities of this branch are to assemble and analyse data on workplace hazards other than toxic substances, to co-ordinate the development of programs to control the exposure of workers to hazards in specific economic sectors, to provide training and development support services, to co-ordinate the development and evaluation of Occupational Health and Safety Division policies and programs on behalf of the executive director, to maintain the line branch data banks, and to provide word processing and publications support service.

On March 31, 1986 the branch had a complement of 65.

#### 1985/86 Activities

During 1985/86 staff of the six units within the branch were engaged in activities related to the division's policies and programs, as follows:

## Regulatory Initiatives and Development

- participated in the development of a Regulation for Health Care Facilities. The Health Care Occupational Health and Safety Regulation Development Committee was established for this purpose, and comprises labour and management representatives from the health care sector;
- revised the proposed Regulation for Underwater Diving to reflect comments of interested and affected parties. Prepared final draft of regulation for submission to cabinet:





- chaired division standing committee that developed a proposed core regulation for extended coverage workplaces;
- participated in the development of the proposed Regulation respecting Window Cleaning;
- participated in the development of the proposed Regulation for Roll-over Protective Structures;
- participated in a review of the Regulation for Construction Projects;
- continued review of regulations addressing electrical hazards;
- developed guidelines and information/training materials for administration of isocyanates regulation in auto body shops;
- consulted with, and provided technical support to, fire fighters, fire chiefs and relevant agencies regarding development of regulations for protective equipment for fire fighters;
- participated in the deliberations of the Ontario Police Health and Safety Committee

### **Industry Sector Programming/Inspector Training**

- co-ordinated and delivered to staff of the ministry, seminars and training materials on designated substances regulations made under the Occupational Health and Safety Act;
- developed video training programs on acrylonitrile, asbestos on construction projects, orientation to ministry and the introduction to the Mining Training Program;
- trained new Industrial Health and Safety Branch inspectors;
- continued to train Ministry of Labour inspectors in the administration of the Regulation respecting Protective Equipment for Fire Fighters and the Ontario Code for the Head Protection of Fire Fighters;
- co-ordinated development and presentation of training sessions for the Ministry of Labour Provincial Offences officers;
- delivered Act review seminars to Occupational Health and Safety Division staff and safety co-ordinators in Ontario government;
- participated on committees developing training strategies and personal protective equipment requirements for Ministry of Labour inspectors;
- developed and maintained program to provide ministry inspectors with information on chemical and other health hazards likely to be encountered during specific workplace inspections that have been scheduled. Emphasis is on precautionary measures that must be taken to protect inspectors and workers;

- continued to co-ordinate the revisions to the Operations Manuals for Industrial Health and Safety, Construction Health and Safety and Mining Health and Safety Branches;
- developed and distributed process flow sheets for processes in which the designated substances are used;
- represented the Ministry of Labour on the occupational Health Committee of the Canada Safety Council.

## **Engineering Controls and Surveys**

- co-ordinated with Occupational Health and Safety Division line branches the plans for conducting engineering survey programs and preparation of necessary information considered for designation, including chromium, nickel, coal tar volatiles and cadmium:
- conducted engineering field surveys to evaluate the ability of industry to control exposures to hazardous substances considered for designation by means of engineering controls;
- developed and conducted arsenic training/counselling sessions for division field staff.

#### **Program Analysis and Evaluation**

- continued to assist in, and co-ordinate the development and preparation of, improving Managing By Results (MBR) objectives, indicators and measures for all program areas in the division;
- co-ordinated the development and preparation of the 1986/87 estimates planning submission for the Occupational Health and Safety Division;
- continued to provide planning support, specifically in terms of statistical data, to all staff in the division working on developing controls for toxic substances;
- assisted in the development of a report on the Designated Substances Enforcement Unit for presentation to Management Board of Cabinet;
- co-ordinated review of branch systems for information data from WCB Form 7s;
- completed feasibility plan proposal to convert the Establishment Company Files to microfiche;
- completed feasibility plan proposal to upgrade the word processing system;
- provided statistical assistance on special projects, such as health care workers and the development of improved prosecution statistics compilation;
- provided assistance to division branches for ongoing fiscal planning, budgeting review and workload issues:
- provided support to the office of the executive director in the ongong review and analysis of division positions, vacancies and salary dollars.





**Administration and Support Services** 

- continued to provide support to the line branches by: maintaining the editing, coding and processing functions of Inspection Reports, Notice of Projects and Employer's Report of Accidental Injury or Industrial Disease; maintaining the Industrial, Construction and Mining Health and Safety Branches' filing systems and providing information to the inspectorate for follow-up on inspections and investigations;
- continued to provide technical and administrative support to various units within the Occupational Health and Safety Division, the ministry and external task forces through the operation of a word processing centre;
- developed and maintained an inventory control system of division publications and forms used by the ministry inspectors.

## **Advisory Service**

- continued to provide administrative support in the allocation of Provincial Lottery funds for manpower training and development, and applied research projects and student bursaries:
- continued to actively participate in the Small Firms Committee looking into the occupational health and safety needs of small business;
- participated in the Tri-Ministerial Advisory Committee on Occupational Health and Safety. The committee functions as an advisory body to the Ontario Council of Regents;
- provided liaison and consultation with Ontario ministries relating to education/training and matters pertaining to the Occupational Health and Safety Act;
- provided responses to inquiries from other jurisdictions relating to training, education and legislation;
- co-ordinated and staffed information displays and booths at conventions, conferences and public exhibitions;
- maintained close liaison with the provincial resource centres and organizations involved in training and education in occupational health and safety;
- participated in a committee developing teaching modules in occupational health and safety for delivery to secondary school students;
- participated in an educational committee developing video tape productions on school laboratory safety for use by teachers and students in Ontario secondary schools;
- conducted seminars and made in-class presentations to students in community colleges and secondary schools, as requested;
- delivered public presentations on the Occupational Health and Safety Act, as requested;
- continued to operate the occupational health and safety information line.





# **Policy and Programs**

Dr. Alan D. Wolfson Assistant Deputy Minister

The Assistant Deputy Minister of Labour Policy and Programs is responsible for the ministry's policy development activities and new legislative initiatives, and monitors existing programs and policies to determine their effectiveness. This includes overseeing the ministry's Policy Branch, which has a mandate to initiate, develop and co-ordinate policy activities as well as to co-ordinate and prepare ministerial correspondence and liaise with other ministries.

The assistant deputy minister is also responsible for the activities of the Employment Standards Branch, the Plant Closure Review and Employment Adjustment Branch, the Handicapped Employment Program, the Office of the Co-ordinator of French Language Services, the Office of the Employer Adviser and the Office of the Worker Adviser.

## **Employment Standards Branch**

John Scott

The Employment Standards Branch seeks to ensure that Ontario employers comply with minimum standards of employment for wages and working conditions, and to actively promote such compliance in order to achieve socially desirable terms and conditions of employment for the Ontario work force, relative to the following legislation:

- the Employment Standards Act
- the Industrial Standards Act
- the Employment Agencies Act
- the Fair Wage Schedules on contracts let by the provincial government.

The branch is organized into general and field administrative sections with a total staff of 156. The 156 positions include 73 field officers and resident auditors. Approximately 55 of the staff are based in regional offices located in Hamilton, Kitchener, London, Ottawa and Sudbury, and in various sub-offices.

## 1985/86 Activities

## Employment Standards Act — General

The primary aim of the Employment Standards Act is to ensure that all employees, particularly those who are not organized, are protected with respect to minimum wages and working conditions.

The branch resolves claims made by employees and also conducts preventive inspections of selected employer populations across the province.

Through the distribution of publications, speaking engagements, special seminars conducted on employers'

premises and advertising, employers are encouraged to comply with the legislation on a voluntary basis.

### **General Inquiries and Information**

The branch received 730,591 general telephone and letter inquiries, of which, 397,707 were handled by head office units, including the electronic telephone message system. The balance was handled by field staff. In addition, 29,210 personal interviews were dealt with.

About 200,000 copies of the Guide to the Employment Standards Act were distributed to members of the public.

General Inquiry and Information Activity					
	1985/86	1984/85			
Telephone Inquiries (Non-Claim) Handled					
- by staff	625,204	643,230			
<ul> <li>by electronic message</li> </ul>	101,432	83,384			
Letter Inquiries (Non-Claim) Responded to	3,955	3,226			
Personal Interviews Held	29,210	29,185			
Total	759,801	759,025			
Public Appearances and Employer Education					
Seminars Held	176	203			
Number In Attendance	4,948	5,407			

## **Investigative Activity**

The branch registered 18,125 new claim files. Resolutions were achieved in 17,127 old and new cases for 21,546 claimants. The average time required to resolve a claim was 65 days, with 33 per cent finalized within 30 days of receipt. In addition, a limited number of preventive inspections were carried out.

As a result of the branch's investigative activity, \$8,317,500 was collected on behalf of 21,811 employees. The average payment was \$381 from a claim investigation and \$372 from a preventive inspection.

Investigative Activity						
	Claims	Files	Preven		Tot	tal
	1985 /86	1984 /85	1985 /86	1984 /85	1985 /86	1984 /85
Workload:						
Pending from Prior Fiscal Year Registered/Assigned	2,435 18,125	2,002 18,903	_ 102	_ 321	2,435 18,227	2,002 19,224
Total	20,560	20,905	102	321	20,662	21,226
Resolved/Conducted Results:	17,177	18,091	102	321	17,279	18,412
Number of Collections Employees Benefited	10,953 21,546	11,657 23,768	26 265		10,979 21,811	11,713 24.549
Amount Collected (\$000's)	8,218.8	9,226.7	98.7		8,317.5	
Outstanding End of Fiscal Year	2,939	2,434	_	_	2,939	2,434

## **Appeals and Hearings**

The Employment Standards Act provides for a review of an order made against an employer by an employment standards officer. The appeal is heard by a referee







# **Policy and Programs**

selected from a panel of referees appointed by the minister.

In fiscal year 1985/86, 283 applications for review were resolved.

A referee may also be appointed by the director to hold a hearing into situations where the director is of the opinion that an act has been committed or an agreement or arrangement has been made to defeat the purpose of the Employment Standards Act. Such hearings were held in 13 cases.

Appeals (Section 50)			Hearings (Section 51)				
	1985/86	1984/85		1985/86	1984/85		
Pending from Prior Fiscal Year	180	166	Pending from Prior Fiscal Year	11	12		
Intake	243	282	Initiated	15	11		
Results Order Confirmed	155	113	Results Employer Found In Violation	4	6		
Employer Upheld	35	33	Employer Found In Compliance	5	4		
Order Varied Settled Before	48		Settled Outside of Hearing	4	2		
Hearing Total	45 283		Total Outstanding End of Fiscal Year	13 13	12		
Outstanding End of Fiscal Year	140	180	orriscar rear	13	11		

<b>Court Action</b>		Permits		
	1985/86 19	084/85	1985/86	1984/85
Prosecutions		Overtime Permits		
Finalized	39	7* – Total	596	683
Section 54		100 Hour	435	374
Certificates	169	Special 221 Heading West	161	309
Filed Section 59 Court	109	Handicap Work Permits	73	76
Orders Filed	_	<ul><li>Homeworker</li><li>Permits</li></ul>	141	125

## **Working Conditions and Analysis**

Analysis and research on labour policy and program issues that are directly related to minimum employment conditions is performed by the Working Conditions and Analysis Unit of the branch.

**Collections by Standard** 

Concession by State	Amount		No. of Collections by Individual Standard		Employees Benefited Financially by Individual Standard	
	1985 /86	1984 /85	1985 /86	1984 /85	1985 /86	1984 /85
Minimum Wage	101,892	116,613	341	484	696	1,264
Overtime	945,107	990,934	1,162	1,161	* 3,161	3,932
Public Holidays	332,347	248,036	713	711	1,982	2,090
Vacation Pay	2,604,620	2,858,154	7,968	8,565	15,893	17,433
Equal Pay for Equal Work	97,180	402,657	34	29	62	353
Benefits	12,659	2,754	9	12	9	17
Pregnancy Leave	20,205	32,181	15	18	15	18
*Lie Detector	_	_	_	_	_	_
Termination Pay	1,532,700	1,978,508	2,469	2,809	* 3,032	3,686
Benefits During Notice Period	4,779	3,435	15	16	18	43
Severance Pay	561,019	850,492	17	15	212	516
Collection of Wages	2,101,745	2,144,617	5,111	5,450	7,722	7,668
Fair Wage on Gov't. Contracts	3,030	43,472	5 2	11	8	86
Industrial Standards Total	258 8,317,541	9 671 853	_	19 279	2 *32.812	37 106

<sup>\*</sup>Revised

### **Agricultural Industry Advisory Committee**

This committee advises the Minister of Labour on matters relating to the application of employment standards legislation to agricultural workers, and the development and modification of employment standards appropriate to the agricultural industry. The committee is composed of representatives of farm owners and farm workers, who meet on an 'as needed' basis.

#### **Industrial Standards Act**

The Industrial Standards Act permits employees and employers to jointly request a schedule of working conditions for their particular industry. When a schedule has been prepared and accepted by both groups and has been approved by the ministry, those working conditions set out in the schedule become the standard for that industry or trade in a designated zone.

The schedules made under the Industrial Standards
Act are administered by an advisory committee
consisting of representatives from labour and

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Ind	ustr	iai S	stand	ards

	1985/86 1984/85		
Number of Active Schedules Number Updated Number Covered by Schedules	4 -	4	
Employers Employees	400 8,300	400 8,300	





# **Policy and Programs**

management. All matters are subject to the approval of the director of the Employment Standards Branch.

### **Employment Agencies Act**

The purpose of the Employment Agencies Act provides for the licensing and regulation of all of Ontario's employment agencies. 'Employment Agency' is defined, in part, under the Act, as the business of procuring for a fee, reward or other remuneration, persons for employment or employment for persons.

There are about 880 agencies under four different classes in Ontario.

Apart from the licensing process, the branch reviews the agencies' operating practices on an individual or class by class basis.

## **Employment Agency Licences**

Class	Initial		Renewal		Total	
	1985/86	1984/85	1985/86	1984/85	1985/86	1984/85
A	162	128	682	664	844	792
В	1	1	9	10	10	11
C	1	_	2	1	3	1
D	7	2	15	15	22	17
Total	171	131	708	690	879	821
Revenue					\$173,150	\$167,350

### Fair Wage Schedule on Government Contracts

The Fair Wage Schedules ensure fair labour rates for employees working on government projects in the construction, building cleaning, and security industries, and protects contractors from unfair competition based on reduced labour costs when bidding on government contracts.

Before tenders are invited for specific projects, a government ministry must obtain guidelines from the Employment Standards Branch on the minimum wage rates for each job classification and the maximum hours of work. This year there were 752 contracts that included fair wage rates for a total value of \$295,886,741.

## Fair Wage Schedules

	Number		Value (\$)		
	1985/86	1984/85	1985/86	1984/85	
Schedules Included in Contracts Let by Provincial Ministries					
Construction	624	586	289,178,639	266,616,900	
<b>Building Cleaning and Security</b>	128	206	6,708,102	10,044,187	
Total	752	792	295,886,741	276,661,087	
Schedules updated	56	54	N/A	N/A	

# Plant Closure Review and Employment Adjustment Branch

Robert D. Joyce Special Advisor to the Minister

Harry N. Shardlow Director

The Plant Closure Review and Employment Adjustment Branch supports the government's initiatives on layoffs and plant closures and carries on the activities of the former Employment Adjustment Service.

The branch's mandate is to:

- become aware of any announced or impending plant closure or major reduction of operation as soon as possible;
- make contact with companies considering closure, and also with the employee representatives or unions;
- obtain information about the closures and to advise the government on the possibility of maintaining the operation;
- attempt where the closure is unavoidable to resolve any disagreements concerning termination rights and benefits;
- co-ordinate the involvement of other provincial agencies.

Other ongoing activities of the branch include:

- monitoring layoffs and terminations;
- exchanging information and maintaining contact with other provincial and federal government agencies;
- advising employees and employers of the requirements of the termination legislation;
- assessing the need for, and participation in, the establishment of adjustment committees.

The branch's Employee Counselling Program provides employees affected by permanent job loss (especially due to plant closures) with professional assistance in the areas of job search techniques, career assessment, access to retraining, retirement counselling, financial counselling, and so on.

The program is primarily aimed at assisting victims of large-scale permanent job loss resulting from the closure of their employer's place of business, although the program is also offered in selected non-closure situations involving permanent job loss.

The program comprises both group and individual counselling sessions that normally take place over a one-week period. In a very large situation, several groups can be handled concurrently using a staff of counsellors.

The programs are delivered by the staff of the community college in the area in which the closure occurred and, although all programs follow a similar





# **Policy and Programs**

format, each one is tailored to the needs of the employees involved.

The branch also works closely with the Industrial Adjustment Service of the Canada Employment and Immigration Commission. The Ministry of Labour is a financial contributor to manpower assessment and incentive agreements, which support employee adjustment committees in layoff and closure situations (see following table summarizing the statistics concerning the terminations and the use of these committees). The committees consist of employee and management representatives and an independent chairman. Their role is to assist employees affected by large-scale terminations to become re-employed.

The branch has five full-time staff.

#### 1985/86 Activities

1000/0011ctivities		
Statistics on Terminations		
	1985/86	1984/85
Termination Cases Involving 50 or More Employees		
Cases: Full Closures	50	43
Partial Closures	19	13
Reduced Operations	42	61
Totals	111	117
Employees: Full Closures	7,345	4,917
Partial Closures	2,208	1,834
Reduced Operations	5,130	8,010
Totals	14,683	14,761
Manpower Adjustment Committees		
Committees Established	64	66
Employees Terminated in Cases Where Committees Were		
Established	8,346	9,457
Financial Commitment	\$75,310	\$61,575
Counselling Program		
Programs Established	25	22
Employees Counselled	1,100*	900
*Fstimated		

## Handicapped Employment Program

Janette Higgins Manager

The Handicapped Employment Program promotes equal opportunity by developing strategies to increase the hiring, retention and career advancement of people who have disabilities.

HEP has a complement of eight permanent staff, including one manager, four consultants, two information clerks and one clerk/stenographer. Several youth employment programs were utilized during 1985/86 to support the program's goals.





# **Policy and Programs**

1985/86 Activities

HEP facilitates positive change and stimulates employer action and community activity through:

#### **Employer Consulting and Small Business Advice**

HEP assists employers to develop programs to encourage the recruitment, retention and promotion of disabled people by offering conferences, workshops and consulting services, as well as advice and assistance, tailored to the specific needs of small business.

During 1985/86 HEP maintained involvement with 224 employers and several employer associations across the province. Fifty-eight of these employers are deemed to be implementing full employment equity or affirmative action programs for people with disabilities. The balance (166) have demonstrated varying levels of commitment to equal opportunity for people with disabilities.

HEP developed a number of publications for employers this past year. A draft of a publication entitled *What it Takes: Planning an Employment Equity Program for People with Disabilities* was circulated among different employer groups and organizations for their comments and suggestions. In addition, employer guides on learning, psychiatric and developmental disabilities have been developed.

#### **Support to Community Initiatives**

At a community level, HEP provides consultation in the development of planning committees and community councils and connects employers to local sources of expertise.

1985/86 saw HEP actively involved in 15 communities province-wide, where the focus of a variety of conferences, seminars and other local activities was directed towards increasing employment opportunities for people with disabilities. Major events, co-sponsored by the program, were held in Waterloo, Barrie and Sarnia. During 1985/86 HEP was represented on 16 ongoing committees as well as four active community councils and four community planning committees.

#### **Co-operative Initiatives with Organized Labour**

HEP develops information strategies in partnership with organized labour and facilitates union/management discussions to promote co-operative solutions to the employment problems of people with disabilities. This includes issues around the retention of injured workers and job opportunities for disabled people entering the work force.

The program is working with 10 labour organizations in support of their initiatives.

## **Employment-Related Resources for Educators**

Educators offer major support in the preparation of job-ready graduates who have disabilities. HEP offers awareness seminars for educators, including boards of education, colleges and universities, concerning employment-related issues. The program has an ongoing

working relationship with 15 educational groups, province-wide. The program's Educator kit was revised this year.

#### Health and Rehabilitation Professional Networking

Health and rehabilitation professionals assist in the integration of disabled persons into the work force. HEP sponsors research and discussion papers, model building and networking in support of professional activities

related to rehabilitation and employment.

To reinforce employment-oriented linkages, HEP is working with 17 health and rehabilitation professional groups and 30 service agencies across the province. In 1985/86, in addition to updating the Health Professional Kit, the program published *Resources for Professionals* Working with People with Disabilities, a joint effort of the program and the Shared Perspectives Interest Group, one of the professional groups with which the program works.

#### **Initiatives with Consumer Organizations**

Consumer organizations represent people who have disabilities and offer insight into specific issues of concern. HEP gains input from this community on materials it develops and initiatives it takes. HEP also co-sponsors special events with consumer groups and other initiatives related to employment.

To maintain links with the community of disabled persons. HEP worked with over 20 consumer groups

during 1985/86.

#### Advice to Job-Seekers

Disabled job-seekers want independence through employment as members of the work force. HEP offers referral to community resources and advice to jobseekers who are disabled about effective strategies to access the current labour market.

Throughout 1985/86 HEP provided 372 résumés to the ministry's Human Resources Branch. Utilizing a networking system, information officers responded to employer requests for disabled employees by referral to potential placement sources and/or informing jobseekers individually. Offices also assisted and/or advised 232 disabled persons.

A major initiative this year was development and publication of Taking Aim: Job Search Strategies for People with Disabilities. The publication was launched in Toronto in March and has attracted considerable interest and attention. In addition, the Job-Seeker kit was revised and translated into French.

#### **Resource Centre**

HEP offers information and resource materials. promotional and educational tools, plus display units accompanied by program staff at province-wide events. The resource list was considerably revised this year, and a new brochure describing the overall role of HEP was developed and published.

During 1985/86 HEP provided 1,286 kits, 9,786 brochures and 7,454 pieces of other promotional





**Policy and Programs** 

materials to its client groups. In addition, the program gave out hundreds of promotional buttons, bookmarks and information carrier bags at conferences/workshops/seminars and trade shows. Films and videos were lent 63 times. HEP participated in, and disseminated information at, 78 province-wide events. Several thousand companies have received materials, and many have had specific questions answered over the telephone and in person.

# Office of the Co-ordinator of French Language Services

Stéphane Grenon Co-ordinator

Since September 1981, the Co-ordinator of French Language Services has been a full-time position reporting to the Assistant Deputy Minister, Labour Policy and

Programs.

The co-ordinator assists francophone groups, other organizations and the public at large with information about the ministry programs and services. He assists ministry managers in the implementation of the ministry's French language services policy. The co-ordinator also sits on an interministerial committee of co-ordinators of French Language Services, chaired by the executive director of The Office of Francophone Affairs.

The Office of the Co-ordinator of French Language Services has a complement of two: one co-ordinator and one secretary.

## **Policy Branch**

Douglas G. Gilbert Director

The Policy Branch develops, co-ordinates and provides analytical support for policy activities in the ministry. It is responsible for conducting basic research and preparing policy documents required in the policy development process. The branch monitors issues arising from the administration of ministry programs and legislation and acts as a liaison with other ministries

and government agencies.

The analytical work carried out in the branch is focused on both the socio-economic and legislative implications of ministry policies and programs. It covers the identification and analysis of trends in the labour market generally, including changes in the level and composition of employment, changes in the workplace and developments in the collective bargaining field. In addition, the branch is responsible for addressing issues and problems that arise under the ministry's employment standards, collective bargaining, human rights and workers' compensation legislation.

The Policy Branch has a complement of 11 professional

and six clerical and support staff.

## Office of the Worker Adviser

Odoardo DiSanto Director

The Office of the Worker Adviser (OWA) came into existence on October 1, 1985 as a result of amendments to the Workers' Compensation Act, which represented a comprehensive plan to change the administrative, appeal and policy-setting components of Ontario's

workers' compensation system.

One of the cardinal principles of the amendment was that the OWA was to be independent of the Workers' Compensation Board, and it was therefore established as a branch of the Ministry of Labour. The legislation entrusts the office with a broad mandate: to assist and advise any person who is, or who has been, a claimant for benefits under the Workers' Compensation Act.

This mandate has evolved into four elements, which are the key objectives of this office. They are:

- advising injured workers of their rights under the Workers' Compensation Act so that they will be able to represent themselves at the operating levels of the WCB;
- representing injured workers, where necessary, at the appeals tribunal and beyond:
- working with labour and injured worker groups, MPPs and other organizations representing injured workers to support them in their representation work;
- identifying operational problems in workers' compensation that may require changes in practices or policies.

The complement of the branch for 1985/86 was 42 positions organized into four distinct units: the director's office, the Toronto Advisory Unit, the Regional Advisory Unit and the Research and Special Services Unit.

### 1985/86 Activities

Because this is a newly-formed branch, the focus of the operation from October 1 to March 31, was necessarily on establishing the basic advisory and representation service. To accomplish this, four permanent offices have been opened, and the office is utilizing another six temporary locations, soon to become permanent, to provide the service throughout the province.

The Toronto Advisory Unit, which is responsible for providing service to the area of Central Ontario. including Metropolitan Toronto, is accommodated in offices in Weston, Scarborough and downtown Toronto. During this period 2,160 cases were initiated in these

offices and 1,211 were completed.

The Regional Advisory Unit, which is responsible for providing service to the remainder of the province, is operating from offices in Windsor, London, Kitchener, Hamilton, Ottawa, Sudbury and Thunder Bay. This unit saw 2,426 cases initiated and 965 completed over the same period.





# **Policy and Programs**

For the Research and Special Services Unit, some of the important initiatives of the first six months include the following:

Analysis of Workers' Compensation Appeals Tribunal Procedures

Various aspects of these procedures were studied, including the setting of hearing dates, disclosure of workers' files, role of tribunal counsel, procedures at hearings and the use of legal precedent.

The result of this study was a very fruitful process of discussion between this office and the appeals tribunal, with the OWA participating in the advisory group to the tribunal.

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#### **Permanent Disability Evaluations**

A core concern of the labour community is the method of evaluating and compensating for permanent disability. The interpretation of the key pension provision of the Workers' Compensation Act, s.45(1), and the use of the WCB's rating schedule have been matters of debate for some time. A major priority of the OWA has been analysing WCB policy in this area, and, in particular, as an intervener in the WCAT leading case on pensions, proposing alternatives. On March 31, 1986 the leading case was continuing.

#### **Compensation for Temporary Partial Disability**

A number of important issues have arisen around s.40(2) of the Workers' Compensation Act, which deals with compensation to temporarily partially disabled workers. Particularly, there is the question of whether there is any requirement for proof of the availability of suitable work. The OWA initiated a study of this issue and agreed to participate in the WCAT leading case on s.40(2). On March 31, 1986 this case was continuing.

## Office of the Employer Adviser

Jason E. Mandlowitz Director

The Office of the Employer Adviser was created on October 1, 1985, by an amendment to the Workers' Compensation Act, to assist employers in their dealings with the Workers' Compensation Board (WCB) and the new Workers' Compensation Appeals Tribunal (WCAT).

The office's objectives are to:

- provide employers in Ontario with a voice within the Workers' Compensation Board (WCB) and Workers' Compensation Appeals Tribunal (WCAT) claims review and appeal procedures;
- acquaint employers with the full range of WCB practices and to educate employers on board operation;
- provide employers with an address to access practical assistance on WCB-related problems and questions; and
- communicate employer WCB concerns to the proper administrative authorities.

The office helps to provide a more independent appeals and claims review system in Ontario. The office assists employers of all sizes in all locations across the province to access the WCB and to understand its procedures, policies and statutory operating conditions. The office handles a broad spectrum of issues, ranging from a referral of an employer to the WCB on a matter of policy or interpretation, to referral to a safety association to consider accident prevention, to presenting a case on behalf of, and with, an employer before the WCB hearing process or the WCAT. The office is also mandated to input directly into the public policy making process and to act as an advocate within both the WCB system and the Ministry of Labour on behalf of employers.

The office is mandated under section 86(r) of the Workers' Compensation Act and is a branch of the

Ministry of Labour.

This branch reports to the assistant deputy minister. Labour Policy and Programs and assists employers by:

- providing information on general WCB policy and procedures, including claims review, rehabilitation, etc.;
- providing interpretations of the Act and regulations;
- helping to prepare appeals for the WCB and the WCAT;
- appearing with employers at WCB and WCAT hearings;
- advising employers on assessment, reclassification and collection issues; and
- referring employers to existing services. Employers contact the office to:
- prepare a challenge to a WCB decision;
- obtain advice on late penalty charges and all penalty assessments:
- initiate cost transfer claims due to third party liability;
- arrange meetings with the WCB to consider assessment issues:
- prepare for a hearing at the WCB or the WCAT.

The office has a staff of eight, including a director; an administrative assistant; two support staff and four employer advisors.

#### 1985/86 Activities

The office was open for six months in 1985/86 and proviced assistance to approximately 750 employers. Of these, about 55 per cent were from Metropolitan Toronto and area. Another 25 per cent were from Southwestern Ontario. Fifteen per cent came from Northern Ontario and another 15 per cent came from Eastern Ontario.

By sector, the office client group was 40 per cent from construction, 30 per cent from manufacturing and processing, 10 per cent from each of service and transportation, and 10 per cent from others, including

Schedule 2 employers.





# **Policy and Programs**

The great majority of employers were small businesses. Eighty per cent of clients had fewer than 50 employees. Ten per cent had 50 to 100 employees and 10 per cent had more than 100 employees.

The major demand sources by city were: Metropolitan Toronto, Kitchener-Waterloo, Ottawa, Sudbury, Windsor,

Sault Ste. Marie, Hamilton and London.

#### **Recruitment and Staffing**

Job specifications for the eight available positions were prepared; competitions were held for contract-level positions and recruitment completed. Full-time civil service permanent position competitions were undertaken.

#### Location

A full-time office was located and established at 101 Bloor St. West, 5th Floor. Start-up included construction of some new offices for classified staff, organization of an operational support system, including filing and budget/administrative systems. The Toronto office was equipped with a toll-free, province-wide telephone line to allow employers out of Toronto direct access to service.

#### Communications/Demand Outreach

The director co-ordinated a long-term communications strategy based on public speaking engagements, media relations and the use of business press/trade journals to introduce clients to the new office. A brochure was prepared to highlight service, with an initial run of 5,000, leading to a subsequent demand for 85,000. A mailing list of over 150 business associations was compiled for direct contact. The director undertook more than 30 speaking engagements. The office, in response to client demand, developed an information session in a training format, providing employers with knowledge of WCB policy and procedures. Sessions were held in Timmins, Ottawa, Kitchener and Toronto, Trips to meet, and service, clients directly were taken to Ottawa, London, Kitchener, Cambridge, St. Catharines, Niagara Falls, Welland, Peterborough, etc.

#### Advocacy

The office has contacted the WCB and the Ministry of Labour on a number of policy issues, including: notification in writing to employers; employer notification of accident procedures; use of alternative/light duty work; claims management procedures; proposed administrative changes for the WCB; etc.

Currently, the office has returned about \$1.4 million in direct savings to Ontario employers. Put another way, for every dollar it takes to operate the office, seven dollars in direct savings to the employer have been returned.





## **Administration**

M. Rodrigues\*
Director

The Finance and Administration Division is responsible for providing administrative support for the operating branches of the ministry. The support activities consist of accounting services, administrative operations, communications, internal audit, management planning, personnel, and data processing systems.

## **Management Planning Branch**

D. Destonis
Director

The Management Planning Branch is responsible for providing a complete range of management services to executive and program managers at the ministry with particular regard to:

- i) financial planning and analysis, including the co-ordination of the annual resource allocation and estimates process, Managing-by-Results reporting and the implementation of government-wide management improvement initiatives;
- **ii)** human resources planning and development of related ministry policies and systems;
- **iii)** information systems and office automation planning and development;
- iv) liaison with government central agencies, particularly Management Board Secretariat, regarding formal submissions to Management Board of Cabinet.

#### 1985/86 Activities

In 1985/86 the groundwork was laid to optimize efficiencies through a consolidation of the three Management Planning units (Financial, Human Resources and Systems) with their respective operational branches. The reorganization will be effective April 1, 1986.

## **Accounting Services**

A.H. Ganesh Manager

Accounting Services is responsible for satisfying the ministry's and central agencies' requirements as expressed in the statutes, regulations, policies and other directives for financial visibility, control and accountability through the operation and maintenance of efficient and effective financial systems. It exercises shared controllership with Treasury and Management Board by ensuring the consistent application of Ontario government accounting principles, policies and controls.

In addition, it provides ongoing financial, advisory, monitoring and consulting services to management,

<sup>\*</sup>M. Rodrigues was appointed executive director September 23, 1985.

employees, clients and suppliers of the Ministry of Labour.

Its responsibilities are carried out by a staff of 32 employed in five functional areas:

#### Administration

Provides ongoing accounting and financial advice to ministry management and oversees and monitors overall control of financial activities and compliance with financial and administrative policies.

## **Budgetary Control and Financial Reporting**

Integral to the control and management of the cash resources are the systems for forecasting, timely recording and effective monitoring of the movements of all revenues and expenditures. This section also has prime responsibility for the preparation of accurate and relevant reports as required by the central agencies and the Ministry of Labour.

#### Revenue and Accounts Receivable

This section is responsible for ensuring that money received is safeguarded and deposited intact and is reported promptly to Treasury.

It also administers the Accounts Receivable System to ensure the efficient collection of revenues.

### **Accounts Payable**

This section administers the systems for payment of suppliers' invoices, employees' expenses and other internal financial transactions.

## **Payroll**

This section is responsible for the accurate, timely and proper processing of the ministry's payroll and related employee benefits.

1985/86 Summary of Expenditures and Revenues

	General e Revenue
12,957	369
7,478	30
38,496	9,032
7,521	321
_	_
5,434	1
5,107	60
880	108
_	193
77,873	10,114
	12,957 7,478 38,496 7,521 - 5,434 5,107 880





## **Administration**

## Personnel Branch

N.E. Mayne *Director* 

The role of the Personnel Branch is to provide a variety of human resource management services for all areas of the ministry. These services include staffing, compensation and staff relations, training and staff development and employee counselling as well as the related processing and records maintenance functions.

The branch operates under the authority of the Public Service Act and regulations, the Crown Employees Collective Bargaining Act and the Collective Agreement, and is responsible for their administration.

Each section of the branch is responsible for a specific set of ongoing activities:

### Staffing

Responsibilities included assisting managers/programs to meet their human resource requirements through handling the competition process or recommending alternatives.

### **Compensation and Staff Relations**

This section is responsible for all aspects of wage and salary administration, including job evaluation, organizational structuring and the provision of advice to management and employees on the compensation process. This section is also responsible for the ministry's staff relations program, including administration of the Collective Agreement, grievance resolution and consultation with management and staff on industrial relations matters, and co-ordination of the ministry's Employee Relations and Health and Safety Committees.

## **Staff Development and Training**

This section is responsible for the ministry's training, development, career planning and performance appraisal programs.

## **Employee Benefits**

This section is responsible for administering the ministry's benefits program and conducting the ministry's annual pre-retirement program.

The Personnel Branch had a complement of 19 during 1985/86.

#### 1985/86 Activities

#### Staffing

Specific staffing actions in 1985/86 included hiring for new program areas of Offices of the Employer and Worker Adviser. Also, recruitment for two temporary programs in Human Rights and Employment Standards were necessary to reduce the backlog of case files. The special programs administered by this section afforded 526 participants the opportunity to enhance their job skills and experience. Placements included:

Summer students – (Experience '85)	268
Summer students – ministry paid	60
Youth Corps	56
Students Training in Industrial Relations (STIR)	34
Work Week students (high school)	49
Secondary school Co-op	44
Handicapped Work Stations	10
Ontario-Quebec Student Exchange	5
T-4-1.	526

#### **Compensation and Staff Relations**

Three new organization units were established in the ministry: Office of the Worker Adviser, Office of the Employer Adviser, and the Workers' Compensation Appeals Tribunal.

The establishment of these three branches required new organization charts and a considerable number of

position specifications.

A re-design of some of the branches in the Finance and Administration Division was also completed, affecting Human Resources, Accounting Services, Information Systems and Management Planning.

Additionally, the Designated Substances Enforcement Unit was established in the Occupational Health and

Safety Division.

The major focus for the Position Administration section is the implementation of the Office Administration Group, affecting approximately 300 bargaining unit positions in the ministry.

The section also continued to participate in the training of cross assigned staff from the central agency.

of cross-assigned staff from the central agency.

Continued participation in the Staff Relations Supervisory Courses provided the opportunity to work with line managers on staff relations issues.

Management and staff were also provided with the ongoing interpretation of the Collective Agreement and consultation on staff relations issues.

#### **Staff Development and Training**

Significant new initiatives for the section in 1985/86 included the following:

- 1. The expansion of the word processing training centre.
- **2.** The development of a computer-based video training program on attendance improvement.
- **3.** The initiation of a major survey on the ministry's performance appraisal program.

In addition, the section continued its regular involvement in in-house, CSC and external courses.

#### **Employee Benefits**

This section continued to be heavily involved in counselling and administration related to employees buying back previous pension service. Other major activities included employee counselling, benefits administration, District Office workshops and the annual pre-retirement program.





## **Administration**

## **Systems and ADP Branch**

J. Collins\*

Acting Director

The branch objectives are to:

- provide clients with system development services and procedures that will meet their needs in providing or improving program delivery in keeping with existing policy and legislation;
- provide an up-to-date, organized and supported approach to meet the ministry's information needs:
- provide a consistent corporate data resource for sound decision making and program management;
- provide a technical environment ensuring:
  - client involvement and accountability;
  - technological compatibility and flexibility;
  - high level of services;

Activities provided include:

• future growth.

The Systems and ADP Branch provides service to all program managers requiring systems development services. The branch is currently in the process of upgrading its services to meet ministry demands for access and use of information technology resources.

- consultative services regarding concepts, technical feasibility and cost/benefit analysis;
- scientific and research applications for studies and surveys requiring evaluation and statistical analysis in the fields of occupational health and safety, labour relations, work force activity and collective bargaining;
- commercial systems involving management information on activity and control of various program managers' systems, including accounting and personnel applications;
- office automation.

The branch complement for 1985/86 was 29.

#### 1985/86 Activities

Development, maintenance and data processing commitments were active in 1985/86 in the following divisions:

- Finance and Administration
- Industrial Relations
- Occupational Health and Safety
- Employment Standards





## **Administration**

- Ontario Human Rights Commission
- Ontario Labour Relations Board
- Legal Services Branch1985/86 resulted in the receipt of:
- 382 client work requests
- 366 actioned and completed
- 16 in progress or backlog

## **Administrative Operations Branch**

R.R. Hogarth
Director

The Administrative Operations Branch provides administrative support services to the ministry's line and staff operations in the head office, 18 district and field office locations, including nine Mining Health and Safety Branch offices located throughout the province, and two full-scale laboratories.

Support services provided include records management, purchasing, inventory control, warehousing and supply, reprographics, mailing, office accommodation and transport.

Branch complement in 1985/86 was 109.

#### 1985/86 Activities

#### **Records Management**

The primary objectives of this program are to ensure economy and efficiency in the creation, maintenance, retrieval, storage and disposition of ministry records, and in the creation, design and use of ministry forms.

Consultative services provided by this section include:

- development and implementation of records schedules;
- file classification plans;
- filing systems and equipment needs;
- forms analysis and design.

## Copy Centre

The ministry operates an in-house reproduction centre that services the short-run printing and bindery needs of the branches, boards and commissions operating from the headquarters and district office locations. The present output of this unit is up to 1,500,000 impressions each month on a variety of equipment and in a wide range of formats.

#### **Purchasing**

The ministry centralized Purchasing Office is responsible for acquiring the wide range of goods and services required by various programs. Needs range from basic office requirements to sophisticated analytical laboratory equipment.

## **Internal Audit Branch**

D.A. Anderson
Director

The purpose of the Internal Audit Branch is to perform an independent review of ministry and agency operations (excluding Workers' Compensation Board), on behalf of the deputy minister. These reviews encompass an appraisal of financial transactions, systems and controls as well as economy and efficiency of operations and existence of an appropriate management process to enable evaluation of program effectiveness.

At the end of the fiscal year the branch had a complement of seven.

#### 1985/86 Activities

During the 1985/86 fiscal year, audit activity was restricted to special requests for assistance in a consultative and/or investigative capacity, and assumption of administrative duties in other areas of the ministry.

## Communications Branch

R.I. Cohen Director

This branch administers ongoing communication between the ministry and its various publics about the ministry's mandate, programs, policies and people

mandate, programs, policies and people.

In fulfilling this mandate, branch staff identify communication needs and develop information programs to help meet these needs. Branch staff advise on the communication implications of ministry policies, programs and initiatives. Staff prepare speeches, news releases, pamphlets, brochures and other printed material, exhibits and audio-visual aids. In addition, the branch handles ministry advertising and, each year, answers more than 3,500 telephone inquiries.

At the end of the fiscal year, the branch had a complement of 11.

#### 1985/86 Activities

Thirty-one news releases were issued and over 2,000 media telephone inquiries were answered. A notification program concerning designated substances was continued. As an extension of the media relations functions, the District Media Liaison Representative System, by which an officer in each district office acts as liaison between the local media and the ministry, continued. Seven journalism students were placed with media sponsors for a 13-week period of on-the-job training with news media sponsors. Entitled Experience '85, this project was funded by the Ministry of Skills Development and administered by the Ministry of Labour.





## **Administration**

The branch edited and produced 65 new brochures and other publications, revised a further 20 and reprinted 52 others.

## **Ministry Library**

Sandra A. Walsh Manager

The Ministry Library is one of the major collections in its subject areas in Canada. With a unique collection of 70,000 books and reports, 1,500 journal titles and 412,000 microforms, the library provides in-depth coverage of all major issues in the areas of industrial relations, occupational health and safety, manpower, quality of working life, human rights and discrimination, employment standards, women's issues and issues relating to persons with handicaps. The library serves ministry clients, professionals in the various subject areas, students and the general public.

The library is staffed by six professional librarians and

10 paraprofessionals.

#### 1985/86 Activities

The library responded to 5,554 reference inquiries from ministry staff and non-ministry clients and completed 930 subject searches for ministry staff on 12 online information retrieval systems. Staff indexed 7,639 periodical articles and filled 15,050 requests for copies of articles from the Library Bulletins. Twenty-four selected bibliographies on labour and occupational health and safety topics were published in the Library Bulletins. Over 7,000 publications were borrowed, and the staff filled 3,492 requests for interlibrary loans.

There are, currently, approximately 21,000 records in the UTLAS automated cataloguing system database, 59,000 records in the MOLINDEX serials database, 376 records in the Ontario Human Rights Commission Decisions database and 7,446 records in the Ontario Labour Relations Board Decisions database. The MOLICAT database progressed through the design and format stages to the loading of UTLAS tapes in order to provide an in-house system with full BASIS search capabilities and, eventually, an online library catalogue. The ordering process was enhanced by the fuller utilization of the ACCORD online ordering module of the UTLAS system.

With the emphasis on a proactive reference service, Selective Dissemination of Information was introduced based on User Interest Profiles. To provide a more efficient interlibrary loan service, the staff used the ENVOY 100 electronic mail system. Three new online information retrieval systems were added to the seven systems already in place. Microcomputer technology was introduced for communications, downloading, database management, spreadsheet, interlibrary loan,

mailing lists and other functions.





## Quality of Working Life Centre

Dr. Hans van Beinum Executive Director N. Ignatieff Program Manager

Since its establishment in December 1978, the Ontario Quality of Working Life Centre has made considerable progress towards the fulfillment of its mandate. The centre's mandate, to promote and support the enhancement of the quality of working life of people in Ontario, has been developed through three major areas of activity:

- the initiation, implementation, monitoring and evaluation of quality of working life projects in joint union-management settings;
- the education and training of individuals and organizations in quality of working life approaches:
- the creation, collection and dissemination of written information to promote a broad understanding of and interest in QWL.

The centre has translated these three activity areas into a program of field project work, education, information services, research and consultation. The primary thrust of the centre has been the development of quality of working life projects in Ontario, based on the principles of joint involvement and shared responsibility between labour and management. The centre recognizes that attempts to improve the quality of working life can succeed only if all parties can learn to work together in areas where joint benefit is possible.

The centre complement currently consists of an executive director, a program manager, five consulting positions, a program co-ordinator, three administrative support staff, and a number of external consultants who participate in the centre's educational events or field projects as demand requires.

#### 1985/86 Activities

#### QWL Field Project Work - Consultation

During the fiscal year, the centre facilitated QWL field projects in 14 joint union-management work settings. These projects focus on involving workers in the decision-making process affecting their jobs, and examining, in this context, the decision-making structures and the design of jobs within the workplace. The centre is working within a range of different work settings in both the private and public sectors in such diverse settings as an electronics firm, a bakery, a government office and a regional facility for the developmentally handicapped.

Centre staff assist individuals and organizations, to increase their understanding of QWL, to assess its

relevance for their own situation and to take the first steps in the development of their own QWL program.

#### Education

Extensive education is seen as essential to the sustained development and diffusion of QWL within Ontario. Consequently, the centre has developed an education program to meet a wide range of needs.

The centre held two introductory and four  $2\frac{1}{2}$ -day

seminars.

In addition, over 20 educational events and workshops were tailor-made for field project participants over the course of the year.

Education events are frequently resourced by union and management representatives who have participated in a QWL project. Whether in making case presentations or in the capacity as panelists and speakers, their personal experiences have proven invaluable in explaining the OWL concept.

The Co-ordinator Network, initiated and facilitated by the centre, is a group of union and management internal resource people who meet regularly for shared learning and support. During fiscal 1985/86, the network members met three times.

#### **Information Services**

The centre provides the public with a wide range of information on QWL, ranging from basic introductory materials to highly specialized information in response to specific requests. The centre also publishes a news journal and occasional working papers and provides speakers to groups and organizations wanting to learn more about OWL.









## **Affirmative Action**

Sheila Dann *Program Manager* 

The program manager is a full-time position reporting to the deputy minister. The mandate of the program is to promote equal employment opportunity in the ministry. The manager liaises closely with the Human Resources Branch and the Ontario Women's Directorate.

The program manager provides a resource to branch directors in implementing affirmative action and chairs a committee of branch representatives who relay affirmative action information to ministry employees.

As a member of the executive committee of the Affirmative Action Council, the program manager helps to guide the corporate Affirmative Action Program.

#### 1985/86 Activities

At the start of the year the program planned a number of hire/promotion targets and developmental assignments for women of the ministry.

Hire/promotion targets refer to certain positions that:

- 1. are currently under-represented by women, that is, where women comprise less than 30 per cent of the class population; and
- **2.** where there are enough qualified women in the potential applicant pool to compete for the positions.

The number of targets set by the ministry is based on the projected vacancies and the potential numbers of male and female applicants. For the past year, 17 targets were set and met for the following occupational classes: Administrative Module, Professional Module and Administrative Services Category. Out of the 17 targets met, two women were hired from outside the public service and the remainder were promoted from within the civil service.

Representation in all modules and categories experienced a decline due to a restrictive hiring freeze prohibiting internal and external recruitment.

Forty-eight women were provided with developmental assignments, over and above normal staff development activities. The three to six-month assignments were designed to qualify participants to compete for higher level or traditionally male occupations.

The program manager worked closely with the branch directors to enable them to meet their branch affirmative action commitments. In addition, regular reports were made to the deputy minister and semi-annual reports were prepared, presenting the statistics outlining the status of the ministry's female employees. Presentations were also made to the branch managers and to regional offices on the development of the program. Personal career counselling interviews were conducted and an inventory of all female employees was maintained for the purpose of effectively monitoring hirings and promotions.

Two two-day workshops, "Assertiveness Training" were presented to all interested women in the ministry to enable them to present themselves in a confident, assertive manner and to resolve conflicts diplomatically.

A series of "Executive Skills" seminars were attended by some senior women in the ministry. This program was designed to further develop managerial skills and to assist senior women to meet the challenges facing

managers in government today.

A basic "Business Systems Information" course was offered to all women in the ministry. This 12-week course was presented by Humber College, and, on completion, the successful candidates were provided with a letter of exemption within Humber College Business Division Computer Studies Program.

A series of short seminars and workshops, e.g. "Time Management," was presented to all interested employees,

including some regional offices.

"Lunch and Learn" noon-hour presentations were also organized by the Affirmative Action Committee for all employees, informing them of important social issues of

special concern to women.

The Affirmative Action Program manager represented the Ministry of Labour on the Affirmative Action Council Regional Delivery Task Force. Women in the regional offices attended several seminars on résumé writing in order to help women prepare résumés and practise being interviewed.

Opportunities were provided for senior women to attend workshops co-ordinated by the Affirmative Action Program managers of the resources ministries.

Directions — The Affirmative Action quarterly newsletter was published to stimulate awareness of the Affirmative Action Program in the Ministry of Labour and to provide a forum for the discussion of events and issues of relevance to women.

As part of a three-phase pilot project to introduce women into the under-represented category of Occupational Health and Safety Inspector-2 in the Construction Health & Safety Branch, six female students were hired under the Summer Experience Program. These students were enrolled in construction-oriented courses and were provided with an orientation program, followed by accompanying an experienced inspector for a period of 14 weeks.





# **Legal Services**

Julia Bass\* Director

Legal Services Branch:

- drafts legislation as requested and gives advice thereon and presents it to legislative counsel;
- gives legal advice to the Ministry of Labour on problems pertaining to the interpretation and application of acts and regulations;
- consults with the branches of the ministry on investigations into alleged breaches of the acts and regulations and considers the sufficiency of the evidence and conducts prosecutions;
- acts as counsel to the ministry in inquiries and hearings held by or for the ministry under the acts;
- acts as counsel to the Human Rights Commission;
- answers inquiries from the public regarding the application and scope of acts and regulations;
- attends inquests into fatalities occurring at workplaces, where required;
- generally, provides legal services as requested or required.

The staff of the Legal Services Branch is assigned by the Ministry of the Attorney General and is composed of a director, five lawyers, one lawyer — on contract — and support staff consisting of six secretaries. All personnel are located in Toronto.

#### 1985/86 Activities

Members of Legal Services Branch appeared as counsel for the ministry in approximately 114 applications for review of orders to pay and section 51 hearings under the Employment Standards Act. A total of 110 hearings were completed in the fiscal year.

Legal Services was requested to represent the Human

Rights Commission at 34 boards of inquiry.

The Legal Services Branch received a total of 411 files under the Occupational Health and Safety Act. A total of 196 prosecutions was completed during the fiscal year.





## Ontario Labour Relations Board

Judge R.S. Abella Chairman D.K. Aynsley Registrar and Chief Administrative Officer

The Ontario Labour Relations Board is a quasi-judicial tribunal responsible for the administration of the Labour Relations Act. Under this Act, the board:

- certifies trade unions as collective bargaining agents for employees;
- appoints officers to mediate complaints of contraventions of the Act, conducts hearings into complaints that are not settled and grants remedial orders where it finds that the Act has been contravened:
- issues directions and declarations where unlawful strikes and lock-outs have occurred:
- settles jurisdictional disputes arising from the assignment of work;
- accredits employers' organizations and employer bargaining agencies in the construction industry;
- certifies employee bargaining agencies in the construction industry;
- conducts arbitration hearings arising from grievances under construction industry collective agreements;
- terminates bargaining rights, and
- provides opinions to the Minister of Labour relating to his authority to appoint conciliation officers or arbitrators.

## Composition

The board is composed of a chairman, 10 full-time vice-chairmen (one, the alternate chairman), five full-time employer representatives and five full-time employee representatives. All are appointed by the lieutenant-governor in council. Under the Act, the jurisdiction and powers of the board may be exercised by a panel composed of the chairman or a vice-chairman, one employer representative and one employee representative, or in respect of certain matters, by the chairman, the alternate chairman or a vice-chairman sitting alone.

It is common for six and, with increasing frequency, seven or eight panels to be sitting simultaneously, sometimes in different parts of the province. While most cases are heard in Toronto, some types of cases or cases involving a substantial number of witnesses are heard at or near the municipality in which the workplace is located.

### **Board Reports**

The board publishes a monthly report in two sections. The first section contains the full text of significant board decisions issued during the report month and an index of summaries on the subject matter of these decisions. The second section lists all of the cases disposed of by the board during the previous month by type of case and method of disposition and describes the bargaining units determined in certification cases.

#### Caseload

In fiscal year 1985/86, the board received a total of 3,236 applications and complaints. These included 1,025 applications for certification, 155 termination of bargaining rights applications, 855 complaints of contravention of the Act and 745 referrals of grievances under construction industry collection agreements.

In addition to the cases received, 930 cases were carried over from the previous year, for a total caseload of 4,166 in 1985/86. Of the total, 2,912 or 70 per cent were disposed of during the year. Proceedings in 238 were adjourned *sine die*\*\* (i.e. without a fixed date for continuation) at the request of the parties to the matter. Finally, 1,016 were pending at various stages of processing at March 31, 1986.

The total number of cases processed during the year produced an average caseload of 320 cases for the board's full-time chairman and vice-chairmen. The total dispositions represented an average output of 224 cases.

## **Labour Relations Officer Activity**

In 1985/86, the board's 17 labour relations officers were assigned a total of 2,263 cases to assist the parties in resolving their differences without the necessity of formal litigation before the board. These officer assignments comprised 54 per cent of the board's total caseload, including 664 certification applications, 39 cases concerning the status of individuals as employees under the Act, 780 complaints of contraventions of the Act, 737 referrals of grievances under construction industry collective agreements and 43 complaints under the Occupational Health and Safety Act.

The labour relations officers completed 1,887 of the assignments, obtaining settlements in 1,524 cases, or 81 per cent. Of the remaining cases assigned, 209 were referred to the board for decision, proceedings were adjourned *sine die* in 154 cases, and settlement efforts were continuing in 376 cases as of March 31, 1986.

## **Representation Votes**

In 1985/86 the board's returning officers conducted a total of 223 representation votes among employees in one or more bargaining units. Of the 221 votes in which





<sup>\*\*</sup>The board regards *sine die* cases as disposed of, although they are kept on docket for one year.



the ballots were counted, 181 involved certification applications, 37 were held in applications for termination of existing bargaining rights, and three were taken in successor employer applications.

### **Hearings**

The board held a total of 1,306 hearings and continuations of hearings in 1,468 cases. Seventy-nine of the hearings were conducted by vice-chairmen sitting alone.

Details of the activities of the board and its staff will be found in the board's 1985/86 annual report.

## Ontario Human Rights Commission

Borden C. Purcell Chairman George A. Brown Executive Director

The Ontario Human Rights Commission, established in 1962, administers the Human Rights Code, 1981, which provides the right to equal treatment without discrimination with respect to services, goods and facilities, accommodation, employment, contracts, membership in trade unions, trade or occupational associations or self-governing professions on the grounds of race, colour, ancestry, place or origin, ethnic origin, citizenship, creed, sex, handicap, age (18-65 years in employment; 18 years and over in all other areas), marital status, family status, receipt of public assistance (in accommodation only) and record of offences (in employment only). In addition, every person has a right to freedom from harassment in accommodation and employment because of any of the prohibited grounds, including race and sex. The Code also provides a remedy for unwelcome sexual solicitations or advances made by a person in authority, and for threats of reprisal because an advance has been refused.

In addition, a right is infringed where a requirement, qualification or consideration is imposed that is not discrimination on a prohibited ground but that would result in the exclusion, qualification or preference of a group of persons who are protected under the Code.

Every person has a right to claim and enforce his or her rights under the Code, to institute and participate in proceedings under the Code and to refuse to infringe a right of another person under the Code, without reprisal

or threat of reprisal for doing so.

The Code is not infringed by the implementation of a special program designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity, or that is likely to contribute to the elimination of the infringement of rights under the legislation. It is also a function of the commission to recommend special plans or programs.

The commission is composed of a chairman, vice-chairman, and 10 members who are appointed by the lieutenant-governor in council. The commission meets regularly to formulate policies on all issues with an

impact on human rights in the province.

A quorum of three commissioners meets regularly as a panel to review and approve the settlements of all cases

before they are closed.

When a settlement proposal is not in accordance with commission policy of rectification and remedy, the panel recommends that the commission refer the case to staff for further conciliation. Where a case reveals evidence of a discriminatory practice or pattern that suggests a





need for policy or procedural changes, the panel makes recommendations for follow-up action.

The panel also reviews requests for exemptions from

the provisions of the Code.

Where the commission fails to effect a settlement of a complaint, and it appears to the commission that the procedure is appropriate and the evidence warrants an inquiry, the commission requests the minister to appoint a board of inquiry. The minister must appoint a board upon the commission's request. Where the commission decides, upon an evaluation of the evidence, to dismiss the complaint, it advises the complainant in writing of the decision and reasons for it, and informs the complainant of the procedure for having the decision reconsidered.

A complainant who requests reconsideration must include a statement of the facts upon which this request is based. The commission makes its decision after notifying the respondent and giving the respondent an opportunity to make written submissions concerning the request. The commission's decision on reconsideration is final and is communicated to both parties in writing.

The person who presides over the board of inquiry is appointed by the Minister of Labour. He or she is not a member or employee of the Ontario Human Rights Commission. The board hears testimony given under oath and makes a finding based on the evidence as to whether or not the Code has been contravened. If the finding is that there has been a contravention of the Code, the board may, by order, direct the respondent to do anything that ought to be done to achieve compliance with the Code, both in respect of the complaint and in respect of future practices, and to advance the public policy underlying the legislation. The board can also order compensation for loss to the complainant, and where the contravention has been engaged in wilfully or recklessly, may award up to \$10,000 to the complainant for mental anguish. If the board finds that there has been no contravention, the case is dismissed.

If a board finds evidence of discrimination in a complaint based on handicap, and if the board determines that there has been a lack of access to premises or facilities or lack of appropriate amenities in these respects, it may make a finding as to whether the equipment or essential duties could be adapted to meet the needs of the person whose right is infringed. If this is the case, the board may order the respondent to take measures to provide access or amenities unless the costs involved would cause undue hardship.

Where a complaint is dismissed, the board may order the commission to pay the respondent's costs if the board finds that the complaint was trivial, frivolous, vexatious or made in bad faith or if undue hardship was caused to the respondent in the particular circumstances.

The decision of the board must be rendered within 30 days after the conclusion of the hearing.

The decision or order of the board may be appealed to the Divisional Court of the Supreme Court of Ontario.



In fiscal year 1985/86, 24 such boards were appointed and 15 hearings completed. In six of these boards, settlements were reached prior to the start of the hearing.

The commission reviews requests for special programs and conducts public education activities among business and industry, media, unions, government, educational institutions, law enforcement and criminal justice agencies, and social services and health care institutions.



Under the Code, the commission conducts the following programs:

Conciliation and Compliance, through the investigation and resolution of complaints filed under the provisions of the Code. During the year, 1,356 formal complaints were registered with the Conciliation and Compliance Division and 1,129 cases were resolved; 86 informal resolutions and 60,392 inquiries and referrals were handled.

The *Race Relations Division* of the commission consists of three members of the commission, designated by the lieutenant-governor in council. One of the members is designated commissioner for race relations.

Under Section 27 of the Code, it is the function of the Race Relations Division to perform any of the functions of the commission as related to race, ancestry, place of origin, ethnic origin or creed, that are referred to it by the commission and other functions referred to it by the commission. These functions as set out in section 28 of the Code are to:

- enquire into incidents of and conditions leading or tending to lead to tension or conflict based upon identification by a prohibited ground of discrimination and take appropriate action to eliminate the source of tension or conflict;
- initiate investigations into problems based upon identification by a prohibited ground of discrimination that may arise in a community, and encourage and co-ordinate plans, programs and activities to reduce or prevent such problems, and
- promote, assist and encourage public, municipal or private agencies, organizations, groups or persons to engage in programs to alleviate tensions and conflicts based upon identification by a prohibited ground of discrimination.

The Race Relations Division carried out 266 mediations and projects and 933 consultations during the year.

Public Education activities are designed and undertaken to forward the principle that the dignity and worth of every person be recognized, and that equal rights and opportunities be provided without discrimination that is contrary to the Code. The number of educational undertakings carried out under the Public Education Program totalled 1,163.

Research activities are designed, undertaken and encouraged in order to eliminate discriminatory practices

that infringe rights under the Code.

The commission has 15 district offices, located in Hamilton, Kenora, Kingston, Kitchener, London, Ottawa, Sault Ste. Marie, Sudbury, Thunder Bay, Windsor, Timmins, St. Catharines, Mississauga, Scarborough and Toronto.

The work of the commission is carried out by 83

professional and 29 support staff.

Details of the role and programs of the Ontario Human Rights Commission will be found in the commission's 1985/86 annual report.

# Advisory Council on Occupational Health and Occupational Safety

Dr. D.R. McCalla Chairman Dr. C.J. Tuohy Vice-Chairman

The Advisory Council on Occupational Health and Occupational Safety currently consists of 19 members — a chairman, a vice-chairman, six members selected from management, seven from labour and, including the chairman and vice-chairman, six from the public.

Under section 10 of the Occupational Health and Safety Act the functions and powers of the advisory council are to:

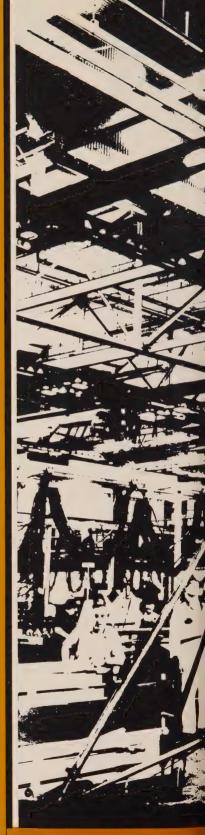
- make recommendations to the Minister of Labour relating to programs of the ministry in occupational health and safety, and
- advise the minister on matters relating to occupational health and occupational safety that may be brought to its attention or be referred to it.

During the year the advisory council submitted five advisory memoranda to the minister. The advisory memoranda are:

- A report "Criteria and Alternative Approaches for the Control of Hazardous Substances and Agents in the Workplace: Part I Identification of Criteria".
- A report "Classification of Health Surveillance, Health Screening and Biological Monitoring Procedures in Workplace Biomedical Surveillance Programs".
- A review by the Advisory Council of the Process Used to Develop a Standard for Asbestos on Construction Projects and in Buildings and Repair Operations, and Related Codes.
- A report "Workplace Control Programs".
- A Review by the Advisory Council of the Process Used to Develop a Standard for Arsenic and Council's Evaluation of the Criteria Utilized to Assess the Hazard of Arsenic Exposure in the Workplace.

In October 1985, as a forerunner to determining whether or not there is need for specific action regarding biotechnology and a role for council in providing advice on the establishment of policies and procedures, council held a workshop on biotechnology. The proceedings of the workshop were subsequently forwarded to the minister.

A major survey of joint health and safety committees





in Ontario was carried out under the auspices of council and completed during the 1985/86 fiscal year. The consultant's report to council on the survey has been transmitted to the minister, and council is currently undertaking its own review of the survey findings.

The proceedings of the workshop on biotechnology and details of council's advisory memoranda and recommendations, along with the minister's responses and related correspondence, are included in Volume I of the advisory council's Eighth Annual Report. The consultant's report on the survey of joint health and safety committees is reproduced in Volume II of the Eighth Annual Report.

Other council deliberations and activities involving correspondence with the minister concerned: a proposal to adopt a list of exposure values as criteria or guides; proposed 'right-to-know' legislation; and council's earlier advisory memoranda relating to: New Chemical and Biological Agents in the Workplace — Identification and Control of Carcinogens and Potential Carcinogens; Reproductive Hazards in the Workplace; and Literacy and Occupational Health and Safety.

The council secretariat currently consists of an executive assistant to the chairman, two research officers, a project officer serving on a part-time basis, an administrative assistant and two secretarial staff.

## Public Service Appeal Boards

The four statutory tribunals comprising the Public Service Appeal Boards function as independent quasijudicial tribunals, with offices and hearing rooms at 180 Dundas Street West in Toronto. The four tribunals oversee the labour relations of Ontario Crown employees. Employees are represented before the boards by one of four employee organizations: the Ontario Public Service Employees Union, the Ontario Liquor Board Employees' Union, the Canadian Union of Public Employees — Local 767, the Canadian Union of Public Employees — Local 1750, and the Amalgamated Transit Union — Local 1587.

Administrative and clerical support to the Appeal Boards is provided by a permanent staff consisting of one secretary of the Public Service Appeal Boards, one manager of Office Support Services, one office support clerk, one records processing and control clerk and one

file clerk.





## Ontario Public Service Labour Relations Tribunal

O.B. Shime, Q.C. Chairman (Vacant as of March 13, 1986) T.A. Inniss Registrar

The Ontario Public Service Labour Relations Tribunal administers the Crown Employees Collective Bargaining Act, and is empowered by the Act to adjudicate matters referred to it by government employers, employee organizations or employees on matters such as:

- conferring representation rights on employee organizations;
- terminating employee organization representation rights;
- unfair labour practices:
- bad faith bargaining:
- successor rights applications;
- alleged strikes and lock-outs;
- consent to prosecute under the Act;
- inclusions and exclusions of employees in bargaining units;
- exemptions from the payment of union dues by individual employees; and
- the duty of fair representation owed by employee organizations to individual employees.

The tribunal frequently appoints investigators to inquire into those matters and assist the parties in attempting to reach a settlement of their dispute before it goes to the tribunal for hearing.

Decisions of the tribunal are final, although the Act empowers the tribunal to reconsider a decision if it deems it advisable to do so. Tribunal decisions can be challenged by way of judicial review on the grounds that the procedure employed violated the rules of natural justice or that the decision was patently unreasonable. The tribunal has the authority to state a case in writing to the Divisional Court to determine any question of law. While the tribunal has the choice of whether or not to state a case on its own motion, it is required to submit a stated case to the Court upon the request of any party to a hearing.

In addition to adjudicating disputes, the tribunal is involved in providing other dispute resolution mechanisms. Mediators are appointed by the tribunal to assist parties in reaching a collective agreement. The

tribunal also appoints interest arbitrators to determine the provisions of collective agreements when the parties are unable to do so by mutual agreement and where they have failed to select an arbitrator themselves.

The tribunal consists of one chairman, one vice-chairman and eight members who serve in a part-time capacity. The chairman, vice-chairman and members are appointed by order-in-council. Members are appointed following nominations received from the respective parties, and the chairman and vice-chairman are appointed following consideration of the views of the parties. The tribunal sits in panels of three, consisting of one member representing employees, one member representing employers, and the chairman, or vice-chairman, who presides.

Applications in Fig	scal Year 198	55/86	
Filed Before March 31/85 and Pending	Filed in Year	Appointments	Disposition
25	40	Investigator 21	Pending Before Investigator 2
		Mediator 1	
		Arbitrator 10	Pending Before Arbitrator 0
			Decisions Issued/ Arbitrator 12
			Decisions Issued/ Tribunal 32
			Pending Before Tribunal 42
			Awaiting Initial Hearing 28
			Pending Before Tribunal In Hearing Stage 14
			Pending Decision
			Pending Stated Case To Divisional Court





## Crown Employees Grievance Settlement Board

O.B. Shime, Q.C. Chairman (As of March 14, 1986) T.A. Inniss Registrar

The Crown Employees Grievance Settlement Board, established by section 20(1) of the Crown Employees Collective Bargaining Act, is solely responsible for the adjudication of employee organization and employer rights disputes involving matters such as dismissals, suspensions, other forms of discipline, working conditions and classification. Employee organization and employer policy grievances may require the board to interpret the provisions contained in collective agreements. The only means of challenging a board decision is by way of judicial review to the courts, and only on the grounds of excess of jurisdiction, errors of law and questions relating to natural justice.

In addition to adjudicating disputes, mediation services are provided by the board to assist the parties in reaching a settlement of their dispute without resorting

to actual board adjudication.

The board consists of one chairman, 15 vice-chairmen and 62 members. The chairman, vice-chairmen and members, who serve in a part-time capacity, are appointed by order-in-council. Members are appointed following nominations received from the respective parties and the chairman and vice-chairmen are appointed following consideration of the views of the parties. The board sits in panels of three, consisting of one member representing employees, one member representing employers, and the chairman or vice-chairman, who presides.

## Public Service Grievance Board

C. Gordon Simmons Chairman T.A. Inniss Secretary

The Public Service Grievance Board operates pursuant to the Public Service Act and, in particular, Part 5 of Regulation 881. The Board adjudicates grievances concerning non-bargaining unit employees and may be called upon to deal with matters such as dismissal, suspension, other forms of discipline, merit increase, promotion and transfer. Decisions of the board are final, although dismissals are subject to the authority of the lieutenant-governor in council. Decisions are also subject to judicial review as with the Grievance Settlement Board.

The board consists of a chairman and four members representing non-bargaining unit employees and employers. The chairman and members are appointed by order-in-council. There must be no fewer than three members on the board, but it may hear and dispose of grievances in panels of two.

## **Public Service Grievance Board and Classification Rating Committees**

Grieva	ances in	ı Fiscal	<b>Year 1985/8</b>			
March	Before 31/85 ending	Filed in Year	Withdrawn or Settled	Cases Pending in Hearing Stage		Cases Pending as of March 31/86
PSGB	9	15	7	8	2	15
CRC	2	6	0	1	3	5





## Classification Rating Committees

C. Gordon Simmons Chairman T.A. Inniss Secretary

Classification Rating Committees are designated by the chairman of the Civil Service Commission. Pursuant to section 57 of Regulation 881 under the Public Service Act, Classification Rating Committees are appointed to adjudicate grievances concerning position classification from eligible employees who are excluded from the application of the Crown Employees Collective Bargaining Act. The committees are therefore essentially responsible for classification grievances filed by persons employed in a managerial or confidential capacity. Such committees are quasi-judicial tribunals, and sit with one personnel administrator from a non-interested ministry and two persons who are not civil servants. One of the latter two act as chairman of the committees. Currently, the committees are drawn from a chairman and three available members.

#### 1985/86 Activities

A total of 1,731 applications were filed with the four Public Service Appeal Boards in the fiscal year 1985/86. The bulk of these applications — 1,670 or 96.5 per cent — were submitted to the Grievance Settlement Board. Forty applications — 2.3 per cent of all applications went to the Public Service Labour Relations Tribunal. The remaining applications were filed with the Public Service Grievance Board and the Classification Rating Committees.

The Public Service Labour Relations Tribunal issued 64 decisions in the fiscal year. Of these, 32 (50 per cent) involved tribunal adjudication of disputed matters between parties. Twenty-one decisions (32.8 per cent) involved the appointment of an investigator to inquire into complaints filed with the tribunal. In 10 cases (15.6 per cent), the tribunal appointed interest arbitrators with a view to determining collective bargaining disputes. In one case (1.6 per cent), the tribunal appointed mediators with a view of assisting in collective bargaining disputes.

Of the 1,670 grievances filed with the Grievance Settlement Board in 1985/86, 83 (five per cent) pertained to employee dismissal. Three hundred and eighty-eight grievances (23.2 per cent) related to disagreements over employee classification. One thousand, one hundred and forty-five (68.6 per cent) were in relation to other numerous matters arising under the applicable collective agreements and involving employee concerns. Fifty-four grievances (3.2 per cent) were of a policy nature, in which an employee organization — as opposed to an individual employee — grieved a collective agreement violation.

The Grievance Settlement Board disposed of 793 grievances in 1985/86. Of these 793 dispositions, 167 (21 per cent) were dealt with by the board through a full hearing in which the matters in dispute were adjudicated, and a final decision was issued. The remaining 626 grievances were settled or withdrawn prior to an actual board decision. One hundred and sixty (20.2 per cent) of all grievances withdrawn or settled in 1985/86 were settled with the assistance of the board's mediator. Four hundred and sixty-six grievances (59 per cent) of all grievances withdrawn or settled in 1985/86 were settled by the parties themselves.

The Public Service Grievance Board disposed of nine applications in the fiscal year. Out of these applications, seven (77.8 per cent) were withdrawn or settled, and two (22.2 per cent) were adjudicated by the board.

Three decisions were issued by the Classification Rating Committees in 1985/86. Five applications were pending before the committees in the fiscal year.

<b>Grievances</b>	in Fiscal	Vear	1985	86
Officvallees	III I ISCUI	icui	TOOOL	UU

Filed Before		File	d in Year			Withe	drawn		Cases
March 31/85 and Pending		Class- ification	Policy	Other	TOTAL	Without settle- ment by Mediator	With Settle- ment by Mediator	Deci- sions Issued	Pending as of March 31/86
1,347	83	388	54	1,145	1,670	466	160	167	2,224





## Workers' Compensation Board

Robert G. Elgie, M.D., Q.C. Chairman

The Workers' Compensation Board of Ontario, which operates out of 14 offices province-wide, including a Toronto head office, provides the province with three fundamental services: first, adjudicating claims for work-related injuries and occupational diseases and compensating workers for the resulting time lost from work and for permanent disability; second, furnishing injured workers with comprehensive health care and vocational rehabilitation services to help them return to a healthy life and gainful employment; and third, paying for these services through the collection of funds from the province's employers.

In 1985, new claims across the province totalled 426,880. Of total claims, 44.2 per cent (188,461) were accepted as lost-time claims (involving time off work and compensation payments). Another 48.5 per cent (207,104) of claims were accepted as no lost-time claims (for accidents that necessitated health care treatment, but no time off work beyond the day of the accident).

During the year, the board awarded total benefits (exclusive of provision for increase) amounting to \$1,097,205,000. The vast majority of funds for the board's programs and services come from annual assessments on the province's employers – in 1985, numbering approximately 178,000. In 1985, assessment income collected by the board rose to \$1,301,121,000.

Board rehabilitation staff throughout Ontario were instrumental in rehabilitating 5,581 injured workers in 1985. Of these, 4,874 were returned to work and an additional 707, who will not be returning to employment, were assisted in achieving financial self-sufficiency.

Bill 101, an Act to Amend the Workers' Compensation Act, which received royal assent on December 14, 1984, came into effect in 1985, bringing with it sweeping changes to benefits for injured workers and their families and to the administrative structure of the Workers' Compensation Board. Bill 32 increased survivors' benefits to families of workers who died on or before June 30, 1985. Bill 81, which was passed in

December 1985, brings annual indexing to bear on average earnings, effective January 1, 1986.

Among other important administrative changes, effective October 1, 1985, overall direction of the board became the responsibility of a new and expanded board of directors, consisting of a full-time chairman and vice-chairman, nine external part-time directors and an ex-officio member. The final level of appeal of a board decision is now in the hands of an independent and external tripartite tribunal know as the Workers' Compensation Appeals Tribunal. A new and independent Industrial Disease Standards Panel was established to provide research and advice to the board on industrial diseases.

Further details of the board's activities in 1985 can be found in its 1985 annual report, which covers the fiscal year ending December 31, 1985.





# Workers' Compensation Appeals Tribunal

S.R. Ellis Chairman

#### **Inception of the Appeals Tribunal**

The Workers' Compensation Appeals Tribunal is the new, final level of appeal to which workers and employers may bring disputes concerning Workers' Compensation Board (WCB) matters. It came into existence on October 1, 1985. Constituted under s.86(a) of the Workers' Compensation Act, the appeals tribunal replaces the former WCB Appeal Board. It is a separate organization, independent of the WCB.

#### **Function**

The appeals tribunal decides worker cr employer appeals from any decision or ruling of the WCB regarding entitlement to benefits, health care and vocational rehabilitation. It also decides employer appeals from WCB decisions on assessments, penalties or transfers of costs. In addition to hearing appeals, the appeals tribunal also decides if a person has the right to sue in court instead of making a compensation claim, and decides, as well, disputes over employers' access to workers' files and workers' objections to undergoing medical examinations requested by employers.

#### Composition

The appeals tribunal is a tripartite tribunal. It is composed of a neutral chairman, S.R. Ellis, a number of neutral vice-chairmen, and members "representative of employers and workers", all of whom are appointed by the lieutenant-governor in council. Both full- and part-time vice-chairmen and members have been appointed.

Each appeal is heard by a panel of the appeals tribunal called a "hearing panel." A hearing panel is made up of three people — a tribunal member representative of workers, a tribunal member representative of employers and a panel chairman.

The chairman of the appeals tribunal, who sits as an ex-officio, non-voting member of the WCB board of directors, is the tribunal's chief executive officer and is given, by statute, direct powers over the affairs of the

tribunal, including the establishment of job classifications, the employment of tribunal staff, presiding at all meetings of the tribunal and establishing the panels of the tribunal. To assist the chairman in his duties, an alternative chairman, Jim Thomas, has been designated.

The organizational structure includes a Tribunal Counsel Office, established to assist the tribunal in its hearings; the Administrative Department, which organizes and schedules hearings, processes and controls files and administers the tribunal's work; and a Department of Research and Publications, which provides library and research services and publishes tribunal decisions and other materials.

#### 1985/86 Activities

During the first six months of its existence, the appeals tribunal has been involved in developing a suitable adjudication process and organizational structure, locating suitable premises, recruiting, organizing and training appropriate professional and support staff, co-ordinating the appointment and training of full-time and part-time tribunal vice-chairmen and members, hearing appeals and writing and publishing comprehensive reasons for its decisions.

The tribunal held its first hearing in late November 1985 and rendered its first decision in December 1985. Tribunal hearings are now being held in Toronto and in regional centres across the province. Of particular interest is the "leading case strategy" in respect of permanent disability pension appeals. The tribunal concluded early that it could not hear and decide individual cases involving pension assessments without making a series of seminal decisions on a number of very difficult issues. By Practice Direction No. 1, issued in December 1985, the tribunal initiated a leading case strategy involving the selection of one case and the participation of various workers and employer organizations as interveners.

Hearings on the pension assessment appeals leading case were scheduled to be held in June 1986. The selected case involved a lower back injury suffered by a construction labourer in a fall from a collapsing brick wall. A permanent pension was awarded by the WCB for the back injury, and the worker appealed the level of

pension.

Details of the tribunal's activities in its formative months will be found in its 1985/86 annual report, covering the six-month period from October 1, 1985 to March 31, 1986.





## Industrial Disease Standards Panel

Dr. James M. Ham Chairman

The Industrial Disease Standards Panel was brought into existence in the fall of 1985, and the appointment of Dr. James M. Ham as its first chairman was announced in the legislature by the Honourable William Wrye, Minister of Labour, on December 6, 1985.

The functions of the panel are to:

- investigate possible industrial disease;
- make findings as to whether a probable connection exists between a disease and an industrial process, trade or occupation in Ontario;
- create, develop and revise criteria for the evaluation of claims respecting industrial diseases; and
- advise on eligibility rules regarding compensation for claims respecting industrial diseases.

The panel reports its findings to the Workers' Compensation Board.

Dr. Ham has spent the initial period of time meeting with senior members of business, labour and government in Ontario and across the country to exchange views concerning the appropriate strategy for carrying out the panel's legislative mandate.

The panel is empowered through section 86p of the

Workers' Compensation Act.

On March 31, 1986 the Industrial Disease Standards Panel consisted only of the chairman. Further appointments to the panel were pending. No support staff had as yet been employed.











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Ministry of Labour Annual Report 1986/87

## Ministry of Labour Annual Report 1986/87

Fiscal year ending March 31, 1987

ISSN 0318-4641





Ontario Ministry of Labour Ministère du Travail de l'Ontario

Office of the Minister Bureau du Ministre

400 University Avenue Toronto, Ontario M7A 1T7 416/965-4101

September, 1987

His Honour The Lieutenant-Governor in Council

May it please Your Honour:

I have the privilege of presenting the 68th annual report of the Ontario Ministry of Labour. The report covers the financial year ending March 31, 1987.

While there was significant activity in all areas of the Ministry's workplace mandate during the year, the most highly concentrated advances were made in the field of occupational health and safety.

The government played a central role in consummating the new national consensus on the worker's right to know about workplace hazards.

It engaged in a wide-ranging program of regulatory reform that included new and comprehensive protections against hazardous chemical agents and biological materials.

It introduced the first broadly-based revision of the Occupational Health and Safety Act in almost a decade and it significantly increased the resources dedicated to workplace health and safety.

It sustained a high level of policy-development activity in a number of areas of the mandate and the results of that activity began to manifest themselves as fiscal year 1986-87 drew to a close.

All in all, it was a productive and successful year. The staff of the Ministry made an outstanding contribution to that success. I wish to acknowledge this contribution and express my gratitude for it.

The Honourable William Wrye





Ontario Ministry of Labour Ministère du Travail de l'Ontario

Office of the Deputy Minister Bureau du sous-ministre 400 University Avenue Toronto, Ontario M7A 1T7 416/965-4115

September, 1987

The Honourable William Wrye Minister of Labour

Dear Mr. Wrye:

I am pleased to submit for your consideration the annual report of the Ontario Ministry of Labour for the 1986-87 financial year.

Much was accomplished during the year, under unusually challenging circumstances, and that accomplishment stands as a tribute to the professionalism of the staff of the ministry.

Respectfully submitted

John 1. TV

Glenn R. Thompson Deputy Minister



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#### **Acts Administered**

Administered By

Crown Employees Crown Employees Grievance Settlement Collective Bargaining Act

Board and Ontario Public Service Labour

Relations Tribunal

Employment Agencies Act **Employment Standards** 

Employment Standards Act **Employment Standards** 

Government Contracts **Employment Standards** 

Hours and Wages Act

Office of Arbitration Hospital Labour Disputes Arbitration Act.

Human Rights Code, 1981 Human Rights Commission

Industrial Standards Act. **Employment Standards** 

Labour Relations Act Labour Relations Board

Main Office Ministry of Labour Act

Occupational Health and Occupational Health and

Safety Act Safety Division

One Day's Rest in Seven Act Employment Standards

Main Office Rights of Labour Act

Workers' Compensation Board Workers' Compensation Act

Workers' Compensation Board Workers' Compensation

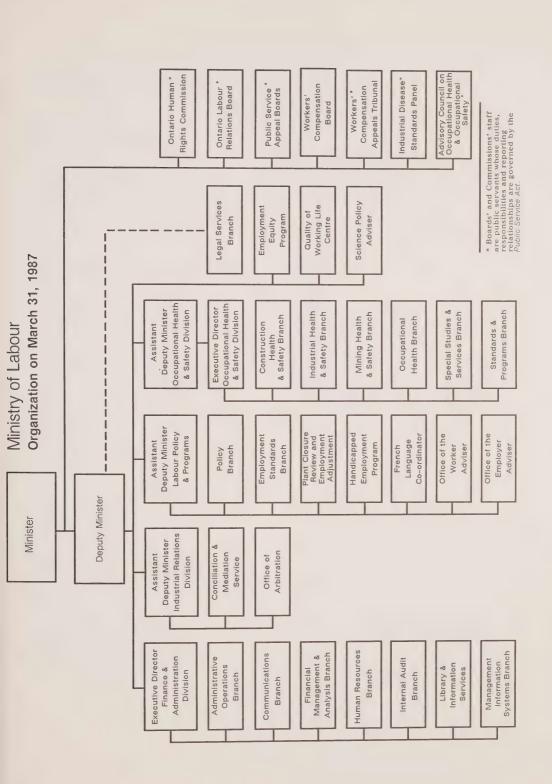
Insurance Act

Workers' Compensation Board Blind Workmen's Compensation Act

### Some Facts and Figures on the 1986/87 Year \*

Expenditures  Number of Staff positions at March 31, 1987	\$97.1 million 1,678
Industrial Relations	
Conciliations Undertaken	3,997
Number of Employees Affected	386,805
Mediations Undertaken Where	014
No Work Stoppage was Involved	814
Number of Employees Affected	146,127
Mediations Undertaken Where	
Work Stoppage was Involved	295
Number of Employees Affected	48,388
Employment Standards	
Number of Collections Made	11 402
On Behalf of Employees	11,483
Number of Employees Benefited	22,334
Amount Collected	\$10.5 million
Inquiries Handled	874,531
Occupational Health and Safety	
Inspections Conducted	80,835
Orders Issued	65,730
Stop-work Orders Issued	2,558
Prosecutions Undertaken	481
Chest X-Rays Conducted	26,254
Pulmonary Function Tests Performed	24,577
Laboratory Analyses Done	88,614

<sup>\*</sup> The provincial laws administered by the Ontario Ministry of Labour and the agencies, boards and commissions that report to the Legislative Assembly through the Minister of Labour, cover approximately 3.6 million workers at approximately 230,000 workplaces in Ontario. Federal law covers the approximately 400,000 workers in Ontario who work in federally-regulated sectors.





#### Industrial Relations Division

#### L.V. Pathe Assistant Deputy Minister

The role of the Industrial Relations Division is to promote harmonious relations between employers and employees in order to help ensure a stable labour relations climate in the province by:

Encouraging effective bargaining as contemplated by the *Labour Relations Act* 

Promoting peaceful settlements through conciliation and mediation services

Providing, where necessary, preventive mediation assistance to labour and management during the term of a collective agreement

Facilitating the processes of grievance and interest arbitration in accordance with the intention of the *Labour Relations Act* and the *Hospital Labour Disputes Arbitration Act* 

Collecting and analysing collective bargaining information for the use of the ministry and the industrial relations community.

The objective is pursued through Program Administration, the Research and Analysis Unit, the Ontario Conciliation and Mediation Service and the Office of Arbitration.

The assistant deputy minister is responsible for directing and co-ordinating the activities of the Industrial Relations Division.

#### Construction Industry Advisory Board

The Construction Industry Advisory Board has been established to advise the minister of issues of common concern to labour and management in the construction industry.

#### Research and Analysis Unit

#### L. Haywood Chief Economist

The Research and Analysis Unit is responsible for research and information activities in the area of labour relations and collective bargaining, including operation of the Collective Agreements Library. It also supplies the Ontario Labour Relations Board and the Ontario Conciliation and Mediation Service with information on their case activities and with the statistical analyses necessary for them to evaluate their operations.

#### In 1986/87 the unit:

Monitored an average of 350 board cases and 400 Conciliation and Mediation Services cases per month in order to collect and process information on a wide range of aspects

Monitored approximately 300 work stoppages

Helped over 5,000 visitors to obtain information from the 9,500 agreements on file in the Collective Agreements Library

Answered more than 4,600 telephone requests for information

Published the following:

- 'Collective Bargaining Settlements and Negotiations in Ontario' (monthly)
- 'Wage Developments in Collective Bargaining Settlements in Ontario' (quarterly)
- 'Collective Agreements Expirations' (annually).

#### Ontario Conciliation and Mediation Service

Trevor Stevenson\*
Director

Harrry Sparling Associate Director, Technical Service

The goal of the Ontario Conciliation and Mediation Service, which operates under the *Labour Relations Act*, is to foster harmonious labour relations by promoting peaceful settlements of collective bargaining disputes through conciliation and mediation and by providing preventive mediation assistance to labour and management during the term of a collective agreement.

In 1986/87:

Conciliation officers disposed of 3,360 assignments, an increase of 23 per cent over the previous year's disposition

637 cases were being dealt with by officers, compared to 745 in 1985/86

Negotiating parties reached agreement on 856 of the cases that were disposed of although 239 of them involved a work stoppage Mediators played a preventive role in 75 cases in 1986/87, compared to 142 cases in 1985/86

The branch introduced computers to improve its case management system and daily file processing system.

<sup>\*</sup> Trevor Stevenson was appointed director on June 2/86.

Conciliation Applications Dealt with Under the Ontario Labour Relations Act,

	198	6/87	198	5/86
	Disputes	Employees	Disputes	Employees
Assignments Received by Officers	3,997	386,805	3,475	394,691
Carried from Previous Year	745	64,940	749	85,651
Assigned to Officer During Year	3,252	321,865	2,726	309,040
Assignments Disposed of by Officers	3,360	321,374	2,730	329,751
Settled by Officer				
Construction	202	8,710	31	216
Non-construction	834	60,040	834	63,238
No board				
Construction	720	87,165	339	6,897
Non-construction	1,359	140,089	1,329	246,479
Referred to Conciliation Board				
Construction	0	0	0	0
Non-construction	0	0	0	0
Lapsed or Withdrawn				
Construction	57	3,024	17	515
Non-construction	188	22,346	180	12,406
Assignments Pending at March 31	637	65,431	745	64,940

#### Preventive Mediation Activity

	1986	5/87	1985	5/86
	Situations	Employees	Situations	Employees
Assignments Received by Officers	184	31,977	211	45,649
Carried from Previous Year	109	24,756	69	13,411
Assigned to Officers During Year	75	7,221	142	32,238
Assignments Disposed of by Officers	89	11,463	102	20,893
Assignments Pending at March 31	95	20,514	109	24,756

Remedial Mediation Activity	n Activity		1986/87	/87				1985/86			
	Total	No Sto Inv	No Work Stoppage Involved	Work Stoppage Involved	rrk page Ived	To	Total	No V Stop Invo	No Work Stoppage Involved	W. Stop Inv	Work Stoppage Involved
Disputes	s Employees	s Disputes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees
Assignments Received by Officers 1,109 Carried Over	194,515	814	146,127	295	48,388	1,180	186,221	888	130,428	295	55,793
From Previous Years 121 Assigned to	10,535	5 91	8,881	30	1,654	200	32,968	125	24,232	75	8,736
Officers During Year 988	183,980	0 723	137,246	265	46,734	086	153,253	760	106,196	220	47,057
Assignments Disposed of by Officers 904	181,693	3 655	137,248	249	44,445	1,059	175,686	794	121,547	265	54,139
Settled During Mediation 697 Settled Following	154,059	9 515	119,420	182	34,639	716	105,949	546	82,337	170	23,612
Mediation Assistance 159	159 25,669	1	16,403	57	9,266	307	36,628	2	21,811	78	14,817
Mediato	. 00	7 24		4	184	19	820	10	358	6	462
No Further Action by Parties	5 210	0 3	137	7	73	11	389	4	141	7	248
Assignments Pending at March 31 20	205 12,822	2 159	8,879	46	3,943	121	10,535	91	8,881	30	1,654

## Occupational Health and Safety Advisory Service

## Ian J. M. Carruthers \* Manager

The Occupational Health and Safety Advisory Service assists the minister in the matter of disputes concerning joint health and safety committees under Section 8(14) of the Occupational Health and Safety Act.

The service also receives requests for assistance from the workplace parties and the inspectorate branches of the Occupational Health and Safety Division.

In the role of a neutral third party, the adviser assists to resolve labour relations and health and safety disputes and to form or establish joint health and safety committees and health and safety programs. Terms of reference for the structure and functioning of committees are jointly developed and agreed upon. Participants in the program usually attend seminars designed to build teamwork, self-reliance and harmonious relationships within the group. Joint training with regard to the *Occupational Health and Safety Act* is also provided.

Caseload	1986/87	1985/86
Cases Handled by		
Advisers	82	73
Carried Over from		
Previous Year	11	37
Cases Received and		
Completed	44	25
Cases Active at Year End	2.7	11

<sup>\*</sup> Ian Carruthers was appointed manager on June 20, 1986.

#### Office of Arbitration

#### Jean M. Read Director

The Office of Arbitration assists the minister in carrying out his statutory responsibilities for constituting boards of arbitration and appointing single arbitrators under the Labour Relations Act and the Hospital Labour Disputes Arbitration Act. The office is responsible for processing requests from employers and trade unions for the appointment of arbitrators and nominees to boards of arbitration. This involves identifying individuals qualified to act under ministerial appointment, providing administrative services to arbitrators. monitoring the progress of arbitration proceedings and cataloguing arbitration awards for public availability. In association with the Minister of Labour's Labour-Management Advisory Committee, which advises the minister on matters pertaining to arbitration, the office maintains a roster of arbitrators and is actively involved in the training of prospective arbitrators. Through its staff of grievance settlement officers, the Office of Arbitration also provides labour and management with grievance mediation assistance.

The Office of Arbitration also has responsibility for co-ordinating appeals under the *Employment Standards Act* and boards of inquiry pursuant to the *Human Rights Code*.

The Office of Arbitration's activities in 1986/87 included:

The appointment by the minister, under section 40 (a) of the *Labour Relations Act*, of one nominee to represent an employer on a board of arbitration at the request of a trade

union attempting to establish a new collective agreement

The appointment, under section 44 of the *Labour Relations Act*, of 381 arbitrators for parties experiencing difficulty establishing a board of arbitration under the terms of a collective agreement

Supplying lists of five arbitrators at the request of parties to assist them to reach mutual agreement in the appointment of an arbitrator on 462 occasions under the *Labour Relations Act* 

The appointment of 14 nominees to represent the other side on a board of arbitration at the request of parties to a dispute

Providing services of grievance settlement officers to parties proceeding to arbitration under their collective agreement in 938 cases. Of this number, 739 were resolved, with 165 cases awaiting mediation. The settlement rate in this area was 79 per cent

Receiving 3,044 requests for the appointment of single arbitrators under section 45 of the *Labour Relations Act*. Of these, 1,704 appointments were made by the minister

Resolving 1,191 of 1,699 disputes under section 45 of the *Labour Relations Act* prior to hearing, for a settlement rate of 69 per cent

The appointment, under the Hospital Labour Disputes Arbitration Act, of 104 arbitrators for parties experiencing difficulties in establishing boards of arbitration to make or renew a collective agreement

Supplying lists of five arbitrators at the request of parties on 115 occasions to assist them to reach mutual agreement in the appointment of an arbitrator under the *Hospital Labour Disputes Arbitration Act* 

At the request of parties to a dispute, the appointment, by the minister, under the *Hospital Labour Disputes* Arbitration Act of three nominees to represent the other side on a board of arbitration

The appointment, under the *Employment Standards Act*, of 133 referees through the Office of Arbitration to hear appeals against Orders to Pay issued by the Employment Standards Branch

Being involved in the appointment of 59 boards of inquiry, pursuant to the *Human Rights Code*, at the request of the Ontario Human Rights
Commission

Receiving and cataloguing 2,133 awards during fiscal 1986/87. A total of 40,195 pages of awards were purchased by the public

Ten people were invited to attend the fifth Arbitrator Development Program scheduled to commence in April 1987. The program comprises two workshops and an eight-month internship period.

The caseload of the Office of Arbitration is described in the two tables below.

			198	1986/87				-	198	1985/86			
	Employ. Stds.	Human Rights Bds. of	Hospital Labour Disputes	Lab. Re	Lab. Relations Act	Act		Employ.	Human Rights Bds. of	Hospital Labour Disputes	Labour	Labour Relations Act	
	Appeals	Inquiry	Arb. Act	S.40(a)	S.44	S.45*	Total	Appeals	Inquiry	Arb. Act	S.44	S.45*	Total
Applications/Requests Carried Over From													
Previous Year Applications/Requests Received During	116	62	225	1	427	661	1,491	151	57	269	317	498	1,292
Current Year  -Arbitrators/Referees Appointed or	46	45	278	H	789	3,044	4,312	245	300	247	515	2,905	3,950
Arranged -Panels	133	59	104	I	381	1,704	2,381	213	29	79	237	1,709	2,267
Provided -Nominees	×	×	115	I	462	×	577	×	×	92	308	×	400
Appointed Applications/Requests Outstanding at	×	×	က	H	14	×	100	×	×	0	0	×	0
Year End Awards Filed	78	39	224	1 1	494	901	1,736 2,133	116	62	225	427	661 621	1,491
Total Awards Purchased (# of Pages)	×	×	×	×	×	×	40,195	×	×	×	×	×	29,035

\* expedited grievance arbitration.

LEGEND: 0 = NO ACTIVITY
X = NOT APPLICABLE

#### **Mediation Activities**

	19	086/87			1985/8	6
		Relations A	ct		Relations its disputes	
	S.44	S.45*	Total	S.44	S.45*	Total
Mediation Assignments:						
• carried over from						
previous year	157	49	206	136	79	215
<ul> <li>made during current year</li> </ul>	938	1,699	2,637	888	1,728	2,616
<ul> <li>assignments completed</li> </ul>	930	1,734	2,664			
<ul> <li>outstanding at year end</li> </ul>	165	14	179	157	49	206
• mediation settlements	739	1,191	1,930	667	1,242	1,909
<ul> <li>percentage of settlements/ assignments completed</li> </ul>	79%	69%	73%	75%	72%	73%

<sup>\*</sup> expedited grievance arbitration

# Occupational Health And Safety Division

Ann E. Robinson, Ph. D., C. Chem., F.C.I.C.\*

**Assistant Deputy Minister** 

Brian Goodman, B.A., LL.B., LL.M.\*\* Executive Director

Arthur Gladstone, B.A., M.A., M.Sc. Acting Executive Director

The Occupational Health and Safety Division seeks to improve worker health and safety in Ontario workplaces by:

Administering the Occupational Health and Safety Act and regulations

Reviewing existing programs

Developing new strategies, regulations, guidelines, codes and hazard alerts to prevent occupation-related injuries and illnesses

Advising, educating or training (as appropriate) all parties with respect to rights, duties and responsibilities under the legislation.

The assistant deputy minister is responsible for the Strategic Policy Unit, for strategic planning with respect to broad policy issues, for legislative initiatives and for external relations relating to the field of occupational health and safety.

The Executive Director is responsible for the delivery of services by the six branches of the division, the Program Development Unit, the Designated Substances Enforcement Unit, and the Division Training Unit. In addition, the executive director is responsible for operations policy and for the delivery of the Occupational Health and Safety program and related administrative and policy issues.

#### 1986/87 Activities

The division administers the Occupational Health and Safety Act and regulations made under the Act for: construction projects; mines and mining plants; industrial establishments; teachers and university academics; X-ray safety; fire fighters' protective equipment; the inventory of agents for the purpose of section 21 of the Act; defining critical injury; and 12 regulations for the control of exposure to toxic substances that have been designated under section 41 of the Act. The Regulation respecting Control of Exposure to Biological or Chemical Agents came into effect on December 6, 1986. It provides Ontario workers with greater protection from the potentially harmful effects of all hazardous biological and chemical agents used in the workplace.

In October 1986, regulations respecting oil and gas wells, diving operations and X-ray safety became law. During this year, the Occupational Health and Safety Program underwent extensive review. The report of the provincial auditor on the Industrial Health and Safety Branch and the Report on the Administration of the Occupational Health and Safety Division (McKenzie/Laskin) provided an extensive basis for program review and

<sup>\*</sup> Appointed to the position of science policy adviser to the deputy minister January 26, 1987.

<sup>\*\*</sup> Became assistant deputy minister, Ministry of Colleges and Universities on October 1, 1986

renewal. The division is working to implement the recommendations in the reports. On the legislative front the division has assisted in the development of comprehensive amendments to the *Occupational Health and Safety Act* and has participated in the national initiative to provide workers with right-to-know legislation.

#### Strategic Policy Unit

The mandate of the Strategic Policy Unit is to identify strategic policies and priorities for the division, with emphasis on the control of toxic substances and physical hazards. The unit is also responsible for maintaining external relations and performing statistical analyses on data bases relating to workplace injury and illness.

In 1986/87, the unit's activities included:

Participating in the Implementation Co-ordinating Committee (ICC) to implement the recommendations of the Workplace Hazardous Material Information System (WHMIS) on a national basis, and in task groups reporting to the ICC

Participating in the development of the legislation, both federal and provincial to implement the WHMIS consensus, based on the recommendations of the ICC. Speaking engagements to advise client groups of proposed implementation of WHMIS

Participating in the *Environmental Contaminants Act* Consultative Committee and in the writing of the final report

Participating in a task group on multi-media standards reporting to the Federal/Provincial Committee on Environmental and Occupational Health Preparing background materials for meetings of ministers with responsibility for occupational health and safety in September 1986

Reviewing and analysing the report of the Ontario Task Force on Health and Safety in Agriculture and developing plans for implementing the recommendations

Preparing an options paper for the use of a generic designated—substances regulation to co-ordinate the control of toxic substances in the workplace

Analysing the federal report on the Bhopal Aftermath Review and development of options for an Ontario strategy to deal with emergency disasters relating to the release of toxic chemicals from the workplace

Participating in the development of proposed amendments to the Occupational Health and Safety Act

Preparing the Ontario government's response to the ILO's conclusions on 'Guarding of Machines'; 'Working Environment' (air pollution, noise and vibration); and 'Working Conditions and the Working Environment' (building, civil engineering and public works committee)

Preparing the Ontario response to the ILO questionnaire on 'Health and Safety in Construction'

Reviewing a consultant's study on worker exposure to wood dust in Ontario

Continuing to participate in a provincial interministry committee to develop options for a government policy on biotechnology

Participating in the development of an Ontario strategy to control worker exposure to smoking in the workplace Participating in the development of an Ontario strategy to foster literacy in the workplace

Organising programs for visitors to Ontario from other jurisdictions, including Hong Kong, Sweden, Britain, Australia, China, Germany, other Canadian provinces and the federal government

Participating in the development of Ontario's response to the ILO's 'Asbestos Convention'

Participating with the Ministry of Health in review of the paper, 'The Provision of Occupational Health Services in Ontario — A Discussion Paper'

Preparing an interim control strategy for 1,3-butadiene in conjunction with the Program Development Unit

Initiating a physical agents regulation; preparation of background materials; direction and co-ordination of the development of a physical agents regulation

Preparing and co-ordinating the passing of the 'Regulation respecting Control of Exposure to Biological or Chemical Agents' O.Reg. 654/86; preparation of options and background papers on the amending process to the Schedule (list of chemicals and exposure values) of O.Reg. 654/86

Participating in preparation of material for the training of the inspectors for O.Reg. 654/86

Preparing the draft of an explanatory booklet on O.Reg. 654/86 for public distribution

Continued research and analysis of work-related injury statistics; extending the Work Injury Information System and establishing linkages with other relevant data bases

Preparing appendices for inclusion in the Annual Report of the Advisory Council on Occupational Health and Occupational Safety.

#### Program Development Unit

The Program Development Unit consists of an economic analysis group, a senior policy analyst-operations, the Designated Substances Enforcement Unit, the Division Training Unit and two teams of occupational health hazards analysts working under project managers.

The principal responsibilities of the health hazards analysts are to provide background information for, and to co-ordinate the development of, designated substance regulations. The analysts also develop guidebooks and data sheets to assist the inspectorate and the public in the implementation of the regulations.

# Economic Analysis Group

The economic analysis group assists in the regulation–making process by providing information on compliance costs and the potential economic impact of proposed regulations on affected industrial sectors.

In 1986/87 the unit:

Filed a designated substance regulation for ethylene oxide and amendments to the schedules for the regulations for lead, mercury, coke oven emissions, vinyl chloride, benzene, isocyanates, silica, acrylonitrile, arsenic and asbestos

Published proposed regulations for welding and cutting fumes and gases and isocyanates on construction projects

Held public meetings to discuss revisions to the proposed regulations for chromium, styrene and coal tar products on construction projects and the proposed amendment to the mercury regulation to cover demolition of chloralkali plants

Presented reports for review to the Advisory Council on Occupational Health and Occupational Safety on the proposed regulations for formaldehyde, noise, lead on construction projects, silica on construction projects and on the amendment to the mercury regulation. Discussions were held with the council on the proposed formaldehyde, noise and lead on construction projects regulations

Continued work on the proposed regulations for cadmium, coal tar products, nickel, polychlorinated biphenyls (PCBs), welding and cutting fumes and gases, and isocyanates on construction projects

Distributed in July 1986 a background report and health effects document on the hazards of wood dust

Commenced a consultant's study to provide background information on worker exposure to beryllium

Continued to develop background information on epoxy resins and chlorophenols

In association with the Construction Safety Association of Ontario, collected background information on control of exposure to chromium and wood preservatives in the construction industry Continued the production and update of data sheets on the designated substances

Assisted in inspectorate training for implementation of the ethylene oxide regulation and guidelines for control of exposure to PCBs

Distributed explanatory guides for the designated substances regulations for benzene and silica to the public. Explanatory guides to the regulations for acrylonitrile, ethylene oxide, isocyanates, asbestos on construction projects and arsenic are ready for publication

Produced quarterly statistical analyses of labour market conditions and work injury statistics

Prepared background industry profiles for the reinforced/plastics composite and fabricated metals industries and secondary lead smelting operations

Prepared estimates of the potential economic impact of proposed regulations respecting:

- chromium
- noise
- styrene

Initiated work on the potential economic impact of proposed regulations for the welding and cutting fumes and gases

Conducted a preliminary economic feasibility study of secondary lead smelting operators to comply with the lead regulation

Prepared estimates of annual public sector costs to enforce the lead regulation

Completed a literature review of the relationship between overtime hours of work and industrial injuries for the Ontario Task Force on Hours of Work and Overtime

Completed and filed a regulation to cover workers engaged in the offshore drilling of oil and gas wells

Published and distributed the internal newsletter

Attended the NDP Task Force's second review of occupational health and safety in Ontario

Began the process of publishing an external newsletter for distribution to the workplace

Developed an appeal-of-orders policy and procedure, a complaints policy and procedure and a records management policy and procedure and distributed them to field staff.

## Designated Substances Enforcement Unit

The Designated Substances Enforcement Unit (DSEU) was established in 1985 to improve the administration and enforcement of the designated substance regulations (DSRs).

In 1986/1987, the unit:

Provided guidance and advice on request to the inspectorate, to Occupational Health Branch management and to workers regarding the provisions of the DSRs

Carried out some 500 telephone consultations with the inspectorate and workplace parties regarding the provisions of the DSRs

Reviewed 178 company files regarding compliance with DSRs

Assisted in mediation of eight disputes regarding the provisions of the DSRs

Prepared a prosecution under the Regulation respecting Asbestos on Construction Projects and in Buildings and Repair Operations (654/85) for submission to the Legal Services Branch

Carried out an in-depth investigation of alleged contraventions of the Regulation respecting Asbestos on Construction Projects and in Buildings and Repair Operations (654/85) at the request of the Construction Health and Safety Branch

Delivered training lectures on the use of respirators and the provisions of the Regulation respecting Asbestos on Construction Projects to Construction Health and Safety Branch inspectors

Performed on-the-job training of Construction Health and Safety Branch inspectors with respect to the Asbestos Construction Regulation

Assisted in training new occupational Health Branch professional staff

Helped the Construction Health and Safety Branch to develop an approval procedure for Variances to the Asbestos Construction Regulation and to review applications made under this regulation

Developed a procedure for the use of glove bags to remove asbestos from pipes

Developed a checklist for inspectors for the inspection of asbestos removal operations

Developed checklists for inspectors for assessments and control programs required to be developed by employers under the DSRs Carried out 70 site visits, including inspections of projects under the Asbestos Construction Regulations

Assisted the Division Training Unit on a regular basis in the development and delivery of inspector training for designated substances including:

- delivering training sessions on the Provincial Offences Act;
- developing training material for investigative techniques, testifying in court and at coroner's inquests;
- assisting in production of training videotapes for asbestos removal and photographic evidence;
- assisting in the development of training material for courses on DSRs and occupational health fundamentals;
- reviewing all inspector-training materials for designated substances.

Assisted the Program Development Unit in the development of guides to the DSRs

Developed a list of Ontario industrial hygienists for the inspectorate to give to employers who need assistance in implementing the DSRs

Assisted in the preparation of a checklist for auto body shops to assist employers in understanding the requirements of a control program under the Isocyanates Regulation

Made recommendations for changes to the DSRs to approve their administration and enforcement

Gave 15 lectures and speeches to students, the inspectorate and client groups regarding the Act and the DSRs

Monitored compliance with Designated Substance Regulations and the number of outstanding orders under those regulations in industrial and mining workplaces

Selected for special investigation 64 workplaces appearing to be in non-compliance with the DSRs

Reviewed all notices of projects for asbestos removal jobs.

#### **Division Training Unit**

The Division Training Unit, which was formed in August 1986, is responsible for planning and delivering division-wide training programs and co-ordinating the development of branch training programs.

In 1986/87, the unit:

Contracted for an occupational health fundamentals course to be given to all inspectors and managers of the Industrial, Construction and Mining branches. Delivery to half of that group was completed by March 31, 1987

Contracted for a designated substance regulation course for Industrial and Mining Health and Safety Branch staff

Submitted a training curriculum for line branch inspectors to divisional field staff for comment and revised it to reflect suggestions, where appropriate

Initiated the process of assessment of individual staff training requirements

Delivered a five-day training program on Investigative Techniques and Prosecutions at the Ontario Police College in Aylmer Presented one-day training or briefing sessions on the following subjects throughout the province to appropriate staff:

- Care and Use of Racal Powered Air Purifying Respirator;
- Care and Use of Self-Contained Breathing Apparatus;
- Prenotification for Inspections Procedure;
- Regulation 654/87 Control of Exposure to Biological or Chemical Agents;
- Stress Workshop;
- Provincial Offences Act;
- Isocyanates in Auto Body Shops;
- Arsenic Regulation.

Provided training on Ministry of Labour legislation to Ministry of Natural Resources staff who will inspect oil and gas operations for health and safety hazards

Presented three-day and five-day training sessions on the *Occupational Health and Safety Act* to new staff and safety co-ordinators in other ministries

Transferred the video unit's slide-tape training modules to video tapes for greater flexibility for use across the province by the Mining Health and Safety Branch

Produced video training tapes on:

- Introduction to the Mining Health and Safety Training Program;
- Care and Maintenance of Powered Air Purifying Respirators;
- Provincial Offences Officer Duties;
- Isocyanates in Body Shops;
- Arsenic in Pressure Treating Wood;

- Bulletin–Regulation 654/87
   Respecting the Control of Exposure to Biological and Chemical Agents;
- Orientation Updates.

# Occupational Health Branch

Peter L. Pelmear, MD, FFOM, CCBOM Director

The objective of the Occupational Health Branch is to provide consultation and assistance to the inspectorate, employers and workers on the recognition, evaluation and control of health hazards in the workplace in order to promote a healthful and safe occupational environment for Ontario's workers.

The branch's journal, *Occupational Health in Ontario*, is published under the direction of an editorial board.

1986/87 Activities

#### Resource Section

The Resource Section provides advice on current issues and occupational health problems encountered in the field, and its staff made 27 field visits for special investigations. The section prepares documents to assist OHB field consultants in their field investigations, as well as codes for designated substances. The notifications of new chemicals introduced in Ontario workplaces as required by Section 21 of the Act (176 notifications in 1986/87) are evaluated.

# Carry-over from 1985/86 1 Industrial Health and Safety Branch 3 Occupational Health Branch 16 Construction Health and Safety Branch 9 Other 1

## Occupational Health Medical Service

#### Medical Consultants

Total

The medical consultants work with the industrial, construction and mining inspectors as well as with other members of the branch to investigate situations where health hazards may exist, to evaluate occupational health services and to advise on the establishment of medical surveillance programs. The physicians also act as consultants to the Workers' Compensation Board, hospitals and family physicians. During 1986/87, 609 field visits, 191 joint visits and 269 air quality comments were done by the medical consultants.

Total	854
Other	23
Workers' Compensation Board	329
Mining Health and Safety Branch	3
Construction Health and Safety Branch	2
Occupational Health Branch	176
Industrial Health and Safety Branch	180
Carry-over from 1985/86	141

#### Nursing Consultants

30

The nursing consultants visit industries and institutions to audit designated substances medical surveillance programs; promote occupational health programs where none exist and encourage the expansion and upgrading of existing programs.

During 1986/87, 581 field visits were made to audit and promote occupational health services or programs.

#### Sources of Nursing Consultant Visit Requests

Total	697
Other	20
Mining Health and Safety Branch	1
Occupational Health Branch	469
Industrial Health and Safety Branch	49
Carry-over from 1985/86	158

#### Medical Service Chest Clinic

The Medical Service Chest Clinic continued to provide medical surveillance, educational facilities and specialized laboratory testing for workers, students and compensation claimants throughout Ontario. Continued medical surveillance will provide monitoring, statistics and trends for future health preservation in the workplace.

#### In 1986/87 the chest clinic:

Adjusted its reporting system to examining physicians in order to be more sensitive to the individual workers

Provided information and teaching of chest disease, pulmonary function techniques, clinical presentations, etc. Upgraded and adjusted quality control programs previously in place

Completed data retrieval for three ongoing research projects

#### Chest X-Ray Examinations

Chest X-ray examinations for the surveillance of workers exposed to designated substances, free silica and asbestos and workers exposed to other hazards such as beryllium, hard metal (tungsten carbide and cobalt) nepheline syenite and cadmium continued on the surveillance program started in prior years.

Exposure Group	Number of Workers
Silica Mines	8,279
Silica Foundry	4,157
Silica Others	4,789
Asbestos	2,216
Asbestos and Silica (Combined)	2,731
Others	4,082
Total Workers Examined	26,254

## **Pulmonary Function Tests**

The use of forced expiratory spirometry continues to be one of the mainstays of the surveillance program.

Exposure Group	Number of Workers	Abnormalities % of Total
Silica Mines	8,077	3.9
Silica Foundry	4,186	4.5
Silica Others	4,754	4.2
Asbestos	2,316	4.4
Asbestos/Silica	2,697	4.9
Others	2,547	5.6
Total	24,577	4.4

#### Silicosis

Radiological evidence of silicosis was reported in 92 of the 17,225 silica-exposed workers. Of these 17 were newly diagnosed.

	Previously Reported	Newly Diagnosed	Total
Silicosis Complicate	75	17	92
Silicosis	0	0	0
Total	75	17	92

#### Asbestosis

Radiological evidence of asbestosis was reported in 15 of the 4,947 asbestos-exposed workers. Of these 5 were newly diagnosed.

Previously Reported		Newly Diagnosed	Total	
Asbestos	5	2.	7	
Exposure Asbestos/Si	9	۷	/	
Exposure	5	3	8	
Total	10	5	15	

#### Chest Clinic Activity

Clinic Location	Number of Workers	Number of Pulmonary Function Tests
Elliot Lake	1,774	1,756
Kirkland Lake	1,166	1,160
Sudbury	3,289	2,199
Timmins	2,175	2,166
Thunder Bay*	719	495
Toronto	17,131	16,801
Total	26,254	24,577

\* Examination films and tracings forwarded to clinic from outside sources for file preparation and transfer.

#### **Summary**

Activities	
Number of X-rays	26,254
Number of pulmonary function tests	24,577

Results and Findings	
New cases of suspected silicosis	17
New cases of suspected asbestosis	5
New cases of suspected dust effects	27
New cases of suspected	
other pneumoconioses	4
Suspected neoplasms	16
Suspected TB	12
Suspected sarcoidosis	33

Note: Examinations on claimants for evaluation by the Workers' Compensation Board totalled 501.

## Occupational Health Hygiene Service

The service conducts field investigations and audits exposure of workers to chemical substances and physical agents and recommends corrective action. The service has provided significant input in the development of respirator codes for the designated substances.

During 1986/87, 1,328 field visits, 191 joint visits, 13 pre-development reviews and 671 air quality comments were done by the Hygienists.

# Sources of Hygienist Visit Requests

Carry-over from 1985/86	479
Industrial Health and Safety Branch	1,323
Occupational Health Branch	141
Construction Health and Safety Branch	25
Workers' Compensation Board	28
Other	24
Total	2,020

# Sources of Joint Medical/Hygiene Visit Requests

Total	2.48
Other	20
Construction Health and Safety Branch	4
Workers' Compensation Board	10
Occupational Health Branch	59
Industrial Health and Safety Branch	139
Carry-over from 1985/86	16

#### Summary of Field Visits

Source	Field Visits
Physicians	609
Nurses	581
Hygienists	1,328
Pre-Development Review	13
Occupational Health Technicians	944
Resource Section	27
Joint	191
Total	3,693

### Occupational Health Laboratory

The Occupational Health Laboratory provides analytical and air sampling services for the ministry, clinical analyses for physicians and method development for future needs.

During 1986/87, the laboratory:

Completed the system for computer logging of all samples received

Expanded staff to enhance more in-depth method development

Initiated project on assessment of exposure to biological agents and completed one on exposure to vibration

Developed several analytical methods for hazardous substances

Began a program to cull and microfiche a large volume of old records

Installed word processors

Initiated new reporting formats for program delivery and MBR purposes.

Environmental Assessment Requests	
Carry-over from 1985/86	212
Industrial Health and Safety Branch	4
Occupational Health Branch	967
Total	1,183

Environmental Assessments	Requests	Field Visits
Carry-over	212	
April	88	81
May	78	80
June	91	93
July	84	91
August	47	89
September	82	73
October	65	65
November	71	58
December	75	96
January	85	69
February	94	56
March	111	93
Total	1,183	944

Summary of Analyses	
Summary of Analyses	
Clinical Samples	39,233
Materials Samples	4,013
Air Samples	36,958
Physical Agents	8,410
Total Number of Analyses	88,614
Samples sent to	
Private Laboratories	
for Proficiency Testing	513

Analyses	Physical Agents	Air Samples	Bulk Samples	Clinical Samples	Total
Acrylonitrile	0	117	2	0	119
Arsenic	0	559	63	363	985
Asbestos	235	0	1,382	0	1,617
Benzene	0	157	19	995	1,171
Coke Oven Emissions	0	47	0	0	47
Cristobalite	0	0	0	0	0
Isocyanates	0	956	24	0	980
Lead	0	1,745	72	22,960	24,777
Mercury	0	97	44	3,093	3,234
Silica (Quartz)	0	888	109	0	997
Vinyl Chloride	0	237	0	0	237
Other	8,175	32,155	2,298	11,822	54,450
Total	8,410	36,958	4,013	39,233	88,614

Materials: Summary of Source	
Industrial Health and Safety Branch	138
Occupational Health Branch	471
Mining Health and Safety Branch	88
Construction Health and Safety Branch	57
Special Surveys	916
Solicitor General	1
Other	139
Health Units	37
Total	1,847

# Construction Health and Safety Branch

W. S. Melinyshyn, P. Eng \* Director

The Construction Health and Safety Branch provides assistance to employers, contractors, supervisors and workers through inspection, consultations, investigation and enforcement to co-operatively identify and control health and safety hazards on construction projects to promote a healthful and safe occupational environment for Ontario's construction workers.

In 1986/87 the branch:

Made 49,014 inspections

Issued 24,508 orders

Evaluated amendments to the Regulations for Construction Projects

Began administering the Regulation respecting Asbestos on Construction Projects, in Buildings and Repair Operations

Assisted with the development of Designated Substance Regulations in Construction (e.g. lead, silica)

Put into place a new regulation respecting the licensing of crane operators effective October 31, 1986

Began administering the Regulation respecting Diving Operations effective January 29, 1987

Completed the second summer of an employment equity summer student initiative

 W. S. Melinyshyn became director on March 2, 1987 when D.M Pizak became special construction health and safety consultant. Placed in the field the first graduate of the employment equity summer student initiative as a contract inspector

Established a Branch Training Unit and initiated new training programs for both existing and new field staff

Acquired the first phase of personal computers in the office automation program to assist with the administration of the Act and the Regulations.

#### Inspection and Fatality Data

	1986/87	1985/86
Workers in the		
Work Force	257,000	248,000
Projects/Establishments	21,399*	16,849*
Non-fatal		
Accidents Reported	14,679	15,424
Accidents Investigated	1,416	921
Fatalities Investigated	41	29
Refusals to Work		
Investigated	3	7
Complaints Investigated	1,638	1,106
Inspections	49,014	46,552
Orders Issued	24,508	23,507
Stop-work Orders Issued	1,040	560
Consultations	2,326**	1,894**
Case Prosecutions	360	361
Convictions	334	334
Fines	\$299,171	\$277,509

#### Notes:

- \* Includes Non-Notifiable Projects.
- \*\* Includes Engineering Consultations.

# **Industrial Health and Safety Branch**

# T. Casey \* Director

The Industrial Health and Safety Branch administers and enforces the *Occupational Health and Safety Act* and associated regulations in the more than 150,000 industrial establishments in Ontario.

The branch conducts investigations into deaths, critical injuries, serious accidents, complaints and refusals to work and reviews engineering drawings of new industrial buildings and alterations to ensure compliance with the Act and Regulations.

#### In 1986/87 the branch:

Established a Branch Training Unit

Acquired computers for field offices

Allocated additional staff

Commenced implemention of recommendations contained in the Provincial Auditor's Report

Issued hazard alerts pertaining to isocyanates in auto body shops and toxic smoke for azinphosmethyl.

#### Inspection and Fatality Data

	1986/87	1985/86
Workers in the		
Work Force*	3,200,000	3,200,000
Projects/Establishments	150,000	150,000
Accidents Investigated	998	1,179
Fatalities	33	42
Refusals to Work		
Investigated	411	344
Complaints Investigated	1,560	1,525
Telephone Enquiries	78,170	73,283
Consultations	956	1,211
Appearances at Inquest	-	
or Trial	512	237
Other Investigations	2,930	3,016
Inspections	26,268	41,628
Orders Issued	36,889	49,269
Stop-work Orders		
Issued	1,431	1,645
Pre-development Revie	w	
(Plans Review)	3,361	3,175
Case Prosecutions	114	75
Convictions	65	56
Fines	\$290,954	\$148,770
Revenue	\$1,467,824	\$1,128,527

<sup>\*</sup> Updated work force figures - Source: Statistics Canada Labour Force Report (July 1986) and Employment, Earnings and Hours Report (August 1986).

<sup>\*</sup> T. Casey became director on March 2, 1987

# Mining Health and Safety Branch

V. Pakalnis, P. Eng. Director

The objective of the Mining Health and Safety Branch is to reduce the risk of death and injury to workers in Ontario mines and mining plants.

The branch encourages employers and workers in the mining industry to achieve this goal by co-operative identification and control of health and safety hazards in workplaces under its jurisdiction.

The branch administers the *Occupational Health and Safety Act*, R.S.O. 1980, C.321, Revised Regulations of Ontario 569/83 for Mines and Mining Plants, and designated substances regulations.

The branch's activities apply to 168 underground mines, 49 open-pit mines, 6,408 sand and gravel pits and quarries, 63 metallurgical and ore processing plants and 51 clay, shale and peat workings.

The branch's 1986/87 activities included:

Carrying out 5,548 inspections and issuing 4,333 orders, of which 87 were stop-work orders

Investigating all fatalities and publishing detailed reports of the investigations. During 1986/87, 10 fatalities were investigated

Investigating 32 work refusals. The branch staff also investigated other complaints concerning unsafe or unhealthy conditions

Recommending 10 major amendments to the mining regulations to the minister by the ministry's Tripartite Mining Legislation Review Committee. These amendments have been accepted and were adopted as regulations.

Substantially improving the mining regulations handbook to make it more 'user friendly.' Changes include border notes and a more comprehensive table of contents and an Index, that is colour coded for easier reference

Completing 966 tests of ropes for individual wire ductility and total rope strength at the Wire Rope Testing Laboratory

Conducting working environment surveys to determine worker exposures to dusts, gases and fumes

Extensive testing of cap lamps to determine their light output. This background information was used to establish a lighting standard, which will come into force June 1, 1988

Conducting pre-development reviews of all new mining process technology, of the use of new methods of construction or of equipment installation, of major alterations of mining techniques or technology, or of major additions or alterations for compliance with the Act and Regulations

Providing mine rescue training. During 1986/87, 736 men participated in the mine rescue training program and 35 seven-man teams competed in eight district mine rescue competitions. One hundred and two supervisors underwent supervisory and management training in mine rescue. Mine rescue officers conducted 692 days of training. This total does not include extra district and provincial competition training or emergency assistance. Fifteen fires were responded to in addition to many calls to be on the alert for emergencies or fire drills

Improving emergency preparedness capabilities for non-fire emergencies. New equipment, such as lifting bags, special jacks, hydraulic cutters and prying equipment, has been purchased and training is being provided on its application

Establishing a Tripartite Mine Rescue Advisory Committee with industry and labour participation to aid in identifying required changes to mine rescue training and non-fire emergency equipment availability

Releasing the report of the Provincial Inquiry into Ground Control and Emergency Preparedness in Ontario Mines in March 1986. The report contains 60 recommendations for improving ground control and emergency preparedness in underground mines. The following actions have been taken:

- regulatory changes have been proposed respecting mine design, communications, mine lighting for inspecting ground conditions and underground vehicle operator falling object protective structures, and Section 10 of the Regulations respecting training;
- a Mining Research Directorate has been established by the Ontario Mining Association. The Board of Directors consists of representatives of industry, labour, the provincial government and the federal government;
- additional resources for two ground control engineers have been secured;
- a chair in Rock Mechanics and Ground Control has been

- established at Laurentian University. Similar chairs have been established at the University of Toronto and Queen's University;
- a review of post-secondary education and training requirements in mining engineering and technology has been completed. It includes recommendations concerning ground control and occupational health and safety education;
- funding of \$403,000 for a Ground Control Training Centre at Cambrian College was provided.

Organizing co-operative research programs. The Ministry of Labour, through the Mining Health and Safety Branch, has entered into a number of co-operative research programs with the federal Department of Energy, Mines and Resources, (Canada Centre for Mineral and Energy Technology) and the U.S. Bureau of Mines. These initiatives include programs on: a) diesel emissions in underground mines; b) wire rope and hoisting technology; and c) ground control and emergency preparedness. New programs are being studied on the subjects of sulphide dust explosions and robotics. A ceramic diesel exhaust filter, which will improve the mine working environment and reduce diesel emissions, has been developed as a result of collaborative research.

Publishing and widely distributing quarterly reports covering industry performance in such areas as incidents, accidents, fatals, prosecution, work refusals, stop-work orders and hazard notices Introducing a program for annual audits of mine designs to assist in detecting potential ground-fall problems so that appropriate preventive action could be implemented

Introducing a computerized data base on ground falls and rockbursts to identify trends in and causes of ground movement and to eliminate hazards

Conducting a study on Bulk Mining Methods and Worker Safety and releasing it for public comment

Aiding in the establishment of a new Mines and Minerals Facility. On July 30, 1986, the Premier announced that the Wire Rope Lab and the headquarter offices of the Mining Health and Safety Branch will be relocated to Sudbury. The Wire Rope Lab is to be part of the new Mines and Minerals Facility to be established on the Laurentian University campus. The headquarter offices of the Mining Health and Safety Branch will be located in the Ministry of Northern Development and Mines building in downtown Sudbury.

#### **Industry Statistics**

	1986/87		1985/	86
	Operations	Workers	Operations	Workers
Underground Mines	168	24,512	172	23,029
Open-pit Mines	49	2,692	53	2,089
Quarries	436	3,175	413	3,219
Clay and Shale Pits	31	111	29	115
Sand and Gravel Pits	5,972	7,080	6,042	8,157
Peat Workings	20	60	20	56
Brine Wells	1	_	2	12
Metallurgical Plants	27	6,867	30	7,794
Metallurgical Labs	13	393	12	401
Aggregate Plants	23	370	22	458
Diamond Drilling Operations	47	228	47	227
Offshore Rigs	8	13	_	
Total	6,795	45,501	6,842	45,557

#### Inspection and Fatality Data

	1986/87	1985/86
Mine Rescue Stations	8	8
Mine Rescue Substations	37	37
Miners Under Training		
in Mine Rescue	678*	659*
Wire Rope Tests	966	874
Revenue from Wire		
Rope Tests	\$223,200	\$182,600
Non-fatal Accidents		
Investigated	3,618	3,986
Critical Injuries Investigat	ed <b>63</b>	61
Fatalities Investigated	10	14
Refusals to Work Investig	ated 32	29
Unusual Occurrences		
Investigated	336	349
Hours Spent Investigating		
Complaints	2,599	2,786
Hours Spent on		
Pre-development Review	10,102	11,400
Inspection Reports	5,548	5,111
Orders Issued	4,333	3,605
Stop-work Orders	87	188
Prosecution Cases	7	5
Convictions	3	3
Revenue from Fines		
Collected	\$8,000	\$12,000

<sup>\*</sup> These figures are for the period January 1 to December 31.

# Special Studies and Services Branch

# Geoffrey R. Wright, P.Eng., Ph.D. Director

The Special Studies and Services Branch's mission is to:

Assist in the development of occupational and environmental regulations relating to the health and safety of workers and the community in general by conducting research into health and safety concerns

Carry out investigations of health problems associated with occupational and environmental exposure to hazardous agents

Conduct studies in occupational safety and health to provide information for the prevention of injuries and illness

Monitor the use of radioactive materials insofar as the province has jurisdiction

Assist in the preparation and execution of radiation contingency plans.

The branch is comprised of four separate but related services: Health Studies Service, Safety Studies Service, Radiation Protection Service and Radiation Protection Laboratory.

#### Health Studies Service

The mission of the Health Studies Service is to support the programs of the Occupational Health and Safety Division and the Provincial Ministry of the Environment. Upon request, support has also been provided to other ministries and agencies, e.g. Solicitor General, Housing, and Health; the Workers'

Compensation Board; and, co-operatively, to the Atomic Energy Control Board, and various federal/provincial committees. Support is provided through the detection, analysis and determination of conditions and substances that could result in occupational and environmental health hazards, in order to promote the occupational health of workers and the environmental health of the Ontario population.

In 1986/87, the service:

Provided technical advice for the development of divisional regulatory strategies related to designated substances, carcinogens and irritants

Prepared six health effects documents, either in-house or by contract

Prepared health-based exposure limits for substances proposed for designation, and recommended clinical tests to be used in the medical surveillance programs

Undertook multi-disciplinary research and studies of factors that contributed to occupational diseases. These studies were:

- a study of the mortality of Ontario miners, which investigated the relationship between occupational factors and the risk of lung cancer in gold miners;
- a study of lung cancer in workers suffering from silicosis;
- a study of sinus cancer in wood workers, including those working with soft wood;
- a study of arsenic excretion in underground gold miners;
- a feasibility study on sewage treatment plant workers employed at

Metropolitan Toronto Works Department; and

• a survey of the smoking habits and opinions on smoking preferences of Ministry of Labour employees.

Prepared recommendations for ambient air standards and guidelines for 27 substances and responses to 18 requests for medical/toxicological information for the Ministry of the Environment, in addition to providing advice on:

- decommissioning of refining sites in Oakville and Clarkson;
- safety of iodination of drinking water; and
- levels of compounds in vegetables for the Ministry of the Environment.

Participated as technical members of, or advisers to:

- the committee drawing up an agreement on compensation for native people on the White Dog and Grassy Narrows reserves;
- the Pesticides Advisory Committee and the subcommittees, reviewing the toxicity of 2,4–D and the toxicity and use of alachlor;
- the MOE Technical Advisory Committee on Coal Tar Waste Sites;
- the Continuing Education Committee on Occupational and Environmental Health for Public Health Officials;
   and
- various national working groups and committees.

Provided emergency health effects advice on a 24-hour-a-day basis

#### Safety Studies Service

The Safety Studies Service undertakes multi-disciplinary investigations of factors that contribute to occupational accidents and disease. Staff act in a consultative capacity for the line branches, employers and employee groups by preparing technical reports following worksite investigations and by conducting seminars. Research objectives are designed to provide information on applied problems. This information is disseminated through the consultative role of the service, seminars and in published reports.

In 1986/87, the service:

Conducted 89 worksite investigations and produced technical reports used by the line branches to resolve outstanding health and safety issues

Produced a detailed engineering analysis of the structural requirements of 'outrigger beams' used in suspended work platforms

Produced a review paper on the factors that influence 'helping behaviour' within the workplace and how this affects safe working behaviour.

#### Radiation Protection Service

The Radiation Protection Service is the primary source of expertise on all matters concerning exposure to radiation. Its principal mission is to evaluate and control occupational exposure, but it also provides advice and assistance to other ministries and agencies in cases in which public or environmental exposures might occur.

In 1986/87, the service:

Completed development of a new X-ray safety regulation (O. Reg. 632/86), which went into force on October 30, 1986

Completed and published a guide to the X-ray safety regulation

Enforced the provision of the X-ray regulation through employer registrations (67), X-ray plan reviews (84) and site inspections (280)

Monitored 125 instances of high personal dosimeter readings

Conducted 86 non-ionizing radiation safety inspections at locations of 117 radio-frequency heat sealers, 20 microwave systems and 12 laser systems

Sent out 381 information packages on radiation emissions from VDTs

Arranged for the measurement of radon daughter concentrations in new houses in Elliot Lake (a six-month contract was let in January 1987 to complete the resampling program begun by the service)

Inspected by request a number of locations for radioactive contamination

Completed a draft regulation governing naturally occurring radionuclides and referred it to the Legal Services Branch for review

Continued technical and operational planning for possible releases of radioactive material from nuclear power plants or from transportation accidents

Maintained a network of 90 environmental radiation monitors intended to assess the impact of a

radiation release from nuclear power plants in Ontario or across the U.S. border

Maintained environmental radiation data on computer to allow rapid access in case of an accidental release from a nuclear installation

Designed and began construction of an X-ray filter wheel to provide remote changes of beam quality

Conducted investigations of X- and gamma-ray energy spectra for instrument calibrations

Continued development of new methods of measurement, evaluation of new instruments, equipment calibration and construction of special instruments

Provided advice, information and assistance to industry, labour, government agencies and the public on all aspects of radiation protection.

Members of RPS staff participated actively on various national and international working groups and committees.

# **Radiation Protection Laboratory**

The Radiation Protection Laboratory provides technical and radioanalytical support to all the provincial agencies that are involved in surveillance programs and health studies related to the exposure of the public to radioactive isotopes.

A breakdown of the number of measurements carried out on the various sample types is shown in the following table:

Type of Sample	Number of Measurements
Water	9,799
Air Filters	4,804
Air Filter Extracts	659
Urines	2,268
Swipes	648
Milk	453
Soil and Sediments	276
Precipitation	138
Tritium Cells	103
Radon Daughter Counting Equipme	ent 91
Blood, Hair and Tissues	282
Foodstuff	52
Air	22
Radioiodine Cartridges	43
Fish	101
Vegetation	148
Miscellaneous	52
Total	19,939

A breakdown of the types of radioanalytical measurements is shown in the following table:

Type of Analysis	Number of Measurements	
Lead-210	288	
Radium-226,228	2,432	
Strontium-89,90	272	
Thorium-228,230,232	140	
Tritium	1,269	
Uranium	2,915	
Gross Alpha	2,950	
Gross Beta	7,295	
Gamma Emitters	1,790	
Miscellaneous	588	
Total	19,939	

The laboratory's other activities included:

Giving considerable assistance to Health and Welfare Canada in screening foodstuffs entering Canada from Europe following the Chernobyl nuclear accident

Participating on various national and international working groups and committees (e.g. Federal/Provincial Working Group on Bioassay, the International Committee on Radionuclide Metrology and the Canadian Radiation Protection Association board of directors)

Serving on two AECB review panels associated with research projects requiring expertise in radioanalytical methodology

Participating throughout the year in the quality assurance programs of the International Atomic Energy Agency, the U.S. Environmental Protection Agency and Health and Welfare Canada

Achieving significant improvement in radioanalytical capability (e.g. an improved rapid tritium measurement procedure for radiation contingencies was developed, a new microprocessor controlled alphaspectrometry system and a low-level alpha/beta system with ten detectors were installed, and a method for measurement of plutonium in sediment was developed

Playing an active role in the Ingestion Monitoring Organization during the exercise to test the Bruce Nuclear Emergency Plan.

# Standards and Programs Branch

Alan D. Heath Director

The responsibilities of the Standards and Programs Branch are to assemble and analyse data on workplace hazards other than toxic substances, to co-ordinate the development of programs to control the exposure of workers to hazards in specific economic sectors, to co-ordinate the development and evaluation of Occupational Health and Safety Division policies and programs on behalf of the executive director, to provide planning and analytical services for the administration of the division, to maintain the line branch data banks and to provide word-processing and publications support services.

During 1986/87 staff of the branch were engaged in the following activities related to the division's policies and programs:

Regulatory Initiatives and Development

Participated in the final stages of the development of a Regulation for Health Care Facilities. The Health Care Occupational Health and Safety Regulation Development Committee was established by the minister for this purpose; it comprises labour and management representatives from the health care sector

Published a regulation for Diving Operations (O.Reg.634/86)

Finalized development of the Regulation respecting Window Cleaning

Finalized development of the Regulation for Roll-over Protective Structures

Participated in review of amendments to the Regulation for Construction Projects

Participated in the development of regulations addressing electrical hazards

Finalized development of a Breathing Apparatus Regulation for firefighters

Consulted with and provided technical support to firefighters, fire chiefs and relevant agencies regarding development of regulations for protective equipment for firefighters

Developed an information bulletin on metabolic heat

Completed training sessions for the inspectorate for the administration of the Isocyanates Regulation in auto body shops

Participated in the deliberations of the Ontario Police Health and Safety Committee

# Industry Sector Programming

Completed respirator training sessions (SCBA and PAPR) for the division

Continued to participate on and guide committees developing operations, strategies and personal protective equipment requirements for the Ministry of Labour Inspectorate

Made presentations on protective equipment to the Ministry of Labour Inspectorate and other agencies, including municipal and fire departments

Provided technical consultations and reviews on regulations and equivalency provisions

Continued to co-ordinate the revisions to the Operations Manuals

for Industrial Health and Safety, Construction Health and Safety and Mining Health and Safety Branches

### Engineering Controls and Surveys

Initiated engineering field trips to exchange information and maintain communications with industry regarding hazardous and designated substances

Continued to conduct engineering field surveys to evaluate the ability of industry to control exposures to hazardous substances considered for designation by means of engineering controls

Undertook the development of guidelines for Biological Safety Cabinet Containment of Antineoplastic Agents in the Health Care System

### Program Analysis and Evaluation

Continued to assist in and co-ordinate the development and preparation of improved Managing By Results (MBR) objectives, indicators and measures for all program areas in the division

Co-ordinated the development and preparation of the 1987/88 estimates planning submission for the Occupational Health and Safety Division

Prepared in-year MB-20 submissions for increased resources for the Construction Health and Safety Branch and additional vehicles and equipment

Participated in the Industrial Health and Safety Branch Task Force on Employers' Reports of Accidental Injury or Industrial Disease and in revisions to the IHSB New Business System Assisted in the development of a report on the Designated Substances Enforcement Unit for presentation to Management Board of Cabinet

Co-ordinated review of branch systems for information data from WCB Form 7s

Completed feasibility plan proposal to convert the establishment company files to microfiche

Completed feasibility plan proposal to upgrade the word-processing system

Provided statistical/planning assistance on special projects, such as the development of improved prosecution statistics compilation, Joint Health and Safety Committee Questionnaire and reconciliation of firms on WCB and IHSB computer systems

Provided assistance to division branches for ongoing fiscal planning, budgeting review, purchase/use of computer equipment and workload issues

Administration and Support Services

Continued to provide support to the line branches by: maintaining the editing, coding and processing functions of Inspection Reports, Notice of Projects and Employer's Report of Accidental Injury or Industrial Disease, maintaining the Industrial, Construction and Mining Health and Safety Branches' filing systems and providing information to the inspectorate for follow-up on inspections and investigations

Completed the WCB – IHSB Firm Reconciliation Project

Completed upgrading of the word-processing system toward implementing the desk-top publishing system

Continued to provide technical and administrative support to various units within the Occupational Health and Safety Division, the ministry and external task forces through the operation of a word–processing centre and the implementation of a desk–top publishing system

Continued to edit, prepare, co-ordinate for publication and distribute all occupational health and safety materials for the division and external task forces, including acts, regulations, guides, background documents, survey reports, etc.

Continued to maintain an Information Issues System by recording and distributing contentious issues relating to occupational hazards

Developed and maintained an inventory control system of division publications and forms used by the inspectorate, division staff and the general public

Advisory Service on Occupational Health and Safety

Continued to provide administrative support to the allocation of transfer payment funds including grants for manpower training and development, applied research projects and student bursaries

Continued to actively participate in a committee looking into the occupational health and safety needs of small business

Continued to participate in the Tri-Ministerial Advisory Committee on Occupational Health and Safety (the committee functions as an advisory body to the Ontario Council of Regents)

Participated on the Ministry Curriculum Committee, which developed the outlines of core and speciality training programs for delivery to the division line branch inspectorate

Participated as a working member of the Mining Education Review Committee (Ross Committee), which provided recommendations to the premier and acting minister of Northern Development and Mines on the future education and training needs of Ontario's metal and industrial mining and milling industry

Participated as a member of the implementation task team on organizational renewal for the Occupational Health and Safety Division

Participated as co-chairman of the ministry's head office joint health and safety committee

Participated on the steering committee for the LAMP Community Health Centre occupational health and safety project conducted in conjunction with the Ministry of Health

Participated on an inter-ministerial committee investigating matters relating to illiteracy and English as a Second Language

Participated on the steering committee for the Canada Safety Council annual conference

Provided liaison and consultation with the Ontario ministries on education/training and matters pertaining to the Occupational Health and Safety Act

Provided responses to inquiries from other jurisdictions on training, education and legislation

Delivered public presentations on the *Occupational Health and Safety Act*, as requested

Continued to offer seminars and in-class presentations to students

Continued to operate the health and safety information line

Co-ordinated and staffed information displays and booths at conventions, conferences and public exhibitions

Maintained close liaison with the provincial resource centres and organizations involved in training, education and services in occupational health and safety

Served on advisory committees at several community colleges and universities

Provided consultation to, and co-ordinated funding for the establishment of, the Centre for Ground Control at Cambrian College (in response to the recommendations made by the Provincial Inquiry into Ground Control and Emergency Preparedness in Ontario Mines).

# Labour Policy And Programs

# Peter Sadlier-Brown\* Assistant Deputy Minister

The Assistant Deputy Minister of Labour Policy and Programs is responsible for the ministry's policy development activities and new legislative initiatives, and for monitoring existing programs and policies to determine their effectiveness. This includes overseeing the ministry's Policy Branch, which has a mandate to initiate, develop and co-ordinate policy activities as well as to co-ordinate and prepare ministerial correspondence and liaise with other ministries.

The assistant deputy minister is also responsible for the activities of the Employment Standards Branch, the Plant Closure Review and Employment Adjustment Branch, the Handicapped Employment Program, the Office of the Co-ordinator of French Language Services, the Office of the Employer Adviser, the Office of the Worker Adviser, the Task Force on Vocational Rehabilitation, the Task Force on Mandatory Retirement and the Task Force on Hours of Work and Overtime.

# **Employment Standards Branch**

## P. Dutton\* Director

The Employment Standards Branch actively promotes and seeks to ensure compliance with:

The Employment Standards Act

The Industrial Standards Act

The Employment Agencies Act

The Fair Wage Schedules on contracts let by the provincial government

in order to ensure that people in the Ontario work force (in particular those employees who are not organized) are protected with respect to minimum wage and working conditions.

The branch is organized into general and field administrative sections. Approximately one-third of the staff is based in regional offices located in Hamilton, Kitchener, London, Ottawa and Sudbury as well as in various suboffices.

#### 1986/87 Activities

In 1986/87, the branch initiated its long-range plans for automation with its purchase of microcomputer equipment and implementation of staff training programs. Several activities were automated during the year, the goal being to automate workload management activities as well as information processing and analysis over the next several years.

<sup>\*</sup> Peter Sadlier-Brown was appointed assistant deputy minister on October 14,1986.

<sup>\*</sup> P. Dutton was appointed director on November 3, 1986.

Employment Standards Act — General

The branch administers and promotes compliance with the *Employment Standards Act* through:

Resolving claims made by employees. In 1986/87 18,524 new claims were registered and 18,301 old and new claims were resolved, an increase of 6.5 per cent over the previous fiscal year. As a result of the branch's investigative activity, \$10,390,900 was collected on behalf of 22,334 employees. The average payment was \$465. Approximately one-third of all claims were resolved within 30 days

Conducting a limited number of preventive inspections of selected employer populations across the Province. In the 1986/87 fiscal year, 234 such inspections were conducted resulting in 534 employees benefiting financially, with an average payment of \$284 per employee

Answering inquiries and disseminating information. The branch received 843,951 telephone and letter inquiries, 293,787 of which were handled by the head-office units, including the electronic telephone message system. The balance was handled by the field staff. A total of 30,580 personal interviews were also held.

Approximately 200,000 copies of the *Guide to the Employment Standards Act* were distributed to members of the public.

Employment Standards Act — Appeals and Hearings

The Employment Standards Act provides for a review of an order against an employer made by an employment standards officer. The appeal is heard by a referee selected from a panel of referees appointed by the minister. In the 1986/87 fiscal year, 207 applications for review were resolved.

The director may also appoint a referee to hold a hearing in situations where the director is of the opinion that an act has been committed or an agreement or arrangement has been made to defeat the purpose of the *Employment Standards Act*. Such hearings were held in nine cases.

Should an employer fail to pay monies owed under an Order to Pay issued by an employment standards officer, the director may issue a certificate to be filed in a court of competent jurisdiction. The certificate is then enforceable as a judgement or order of court, pursuant to section 54 of the Act.

Any person who contravenes any provision of the *Employment Standards Act* may be prosecuted in Provincial Offences Court; upon conviction, in addition to any penalty imposed by the court, such person may be ordered to pay to the director in trust the wages owed to the employees. Upon payment the monies will be distributed to the employees.

Investigative Activity	,						
	Claim	Claim Files		Preventive Inspections		Total	
	1986/87	1985/86	1986/87	1985/86	1986/87	1985/86	
Workload:							
Pending from							
Prior Fiscal Year	2,939	2,435	_	-	2,939	2,435	
Registered/Assigned	18,524	18,125	234	102	18,758	18,227	
Total	21,463	20,560	234	102	21,697	20,662	
Resolved/Conducted	18,301	17,177	234	102	18,535	17,279	
Resolutions as % of							
Total Workload:	85.3	83.5	-	-	-	_	
Results:							
Number of							
Collections	11,483	10,953	70	26	11,553	10,979	
Employees Benefited	22,334	21,546	554	265	22,888	21,811	
Amount Collected							
(\$000s)	10,390.9	8,218.8	157.6	98.7	10,548.5	8,317.5	
Outstanding End of							
Fiscal Year	2,677	2,939	-	-	2,677	2,939	

Collections by Standard						
	Amount Collected		No. of Collections by Individual		Employees Benefited Financially by	
	(\$000s) (\$000s)		Standard		Individual Standard	
	1986/87	1985/86	1986/87	1985/86	1986/87	1985/86
Minimum Wage	70.6	101.9	243	341	392	696
Overtime	1,346.0	945.1	1,389	1,162	3,851	3,161
Public Holidays	250.3	332.3	645	713	1,717	1,982
Vacation Pay	2,793.1	2,604.6	8,337	7,968	16,711	15,893
Equal Pay for						
Equal Work	254.5	97.2	31	34	296	62
Benefits	2.2	12.7	10	9	10	9
Pregnancy Leave	33.7	20.2	14	15	14	15
Lie Detector*	-		_	_	_	_
Termination Pay	1,452.5	1,532.7	2,194	2,469	2,964	3,032
Benefits during Notice Period	0.3	4.8	6	15	6	18
Severance Pay	2,187.2	561.0	9	17	527	212
Collection of Wages	2,152.0	2,101.7	5,618	5,111	7,506	7,722
Fair Wage on	ŕ	,	,,,,,,,	-,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	.,
Gov't contracts	4.0	3.0	4	5	6	8
Industrial Standards	2.0	0.3	5	2	6	2
Total	10,548.4	8,317.5	18,505	17,861	34,006	32,812

<sup>\*</sup> Revised.

Telephone Inquiries (Non-claim) Handled:	1986/87	1985/86
A A		
(Nion alaims) IIamalladi		
(Non-claim) Handled:		
by staff	611,703	625,204
by electronic message	228,896	101,432
Letter Inquiries (Non-clair	n)	
Responded to	3,352	3,955
Personal Interviews Held	30,580	29,210
Total	874,531	759,801
Public Appearances and		
Employer Education		
Seminars Held	170	176
Number in Attendance	6,399	4,948
Number in Attendance		7,570
Appeals (Section 50)	1006/07	4007/0
D. I' C. D.	1986/87	1985/86
Pending from Prior	4.40	400
Fiscal Year	140	180
Intake	187	243
Results:		
Order Confirmed	99	155
Employer Upheld	23	35
Order Varied	27	48
Settled Before Hearing	58	45
Total	207	283
Outstanding End of		
Fiscal Year	120	140
Hearings (Section 51)		
	1986/87	1985/86
Pending from Prior		
Fiscal Year	13	11
Initiated	7	15
Results:	Ť	
Employer Found in		
Violation	4	4
	4	4
Employer Found in		,
Compliance	4	5
Settled Outside of Hear	ing 1	4
	0	13
Total	9	1.
Total Outstanding End of	9	

Court Action		
19	986/87	1985/86
Prosecutions Finalized	28	39
Section 54 Certificates Filed	172	169
Section 59 Court Orders		
Filed	1	-
Permits/Approvals		
19	986/87	1985/86
Total Excess Hours Permits	638	596
100 Hour	471	435
Special Special	167	161
Handicap Work Permits*	136	73
Homeworker Permits	105	141

212

232

201

215

#### Permits and Approvals

Averaging Approvals

Section 18 Approvals

The Employment Standards Act empowers the director to issue a permit authorizing hours of work in excess of the statutory workweek of eight hours in a day and 48 hours in a week. The director may also approve a regular workday of more than eight hours.

# Working Conditions and Analysis

Analysis and research on labour policy and program issues that are directly related to minimum employment conditions are performed by the Working Conditions and Analysis Unit of the branch.

# Agricultural Industry Advisory Committee

This committee advises the minister on matters relating to the application of employment standards legislation to

<sup>\*</sup> Section 24 of the Act was repealed effective March 1, 1987.

agricultural workers and the development and modification of employment standards appropriate to the agricultural industry. The committee is composed of representatives of farm owners and farm workers, who meet only as needed.

#### Industrial Standards Act

The *Industrial Standards Act* provides a means for employer and employees jointly to establish a schedule of working conditions that reflect the prevailing labour standards in their industry. Once enacted, the provisions of a schedule become mandatory on all who perform work as defined in the industry definition.

Schedules are administered and enforced by a five-member advisory committee comprised of management and labour representatives who are active in the industry, to provide a measure of self-regulation.

#### Industrial Standards 1986/87 1985/86 Number of Active Schedules 4 4 Number Updated 1 Number Covered by Schedules **Employers** 400 400 Employees 8,300 8,300

## Employment Agencies Act

The *Employment Agencies Act* provides a measure of protection to job applicants from unjust practices when they use 'permanent' employment agencies to assist them in finding work.

Agencies are required to apply for and receive the appropriate licence before doing any placement activity. The four classes of licences specify occupational categories, and applicants are required to pay a placement fee. An agency can hold only one class of licence.

Temporary help agencies who employ workers for subsequent referral to clients are not required to hold licences because the worker is their employee and is therefore covered by the general provisions of the *Employment Standards Act*.

#### Fair Wage on Government Contracts

The Fair Wage on Government Contracts program is designed to ensure that workers engaged on contracts awarded by government ministries for construction, building, cleaning and security projects and on municipal road building projects have a means to obtain the minimum standard of wages, hours of work and overtime that prevail for their work classification in the area where it is performed.

Contractors also receive a measure of protection from unfair competition based on reduced labour costs when bidding on government contracts.

Wage rates in each zone are periodically confirmed and adjusted by survey. In the interim they are reviewed each year and adjusted when required on the basis of industry settlements, consumer price index and consultation with the industry.

Employment	Agency	Licences
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	Init	tial	Rene	ewal	То	tal
Class	1986/87	1985/86	1986/87	1985/86	1986/87	1985/86
A	187	162	728	682	915	844
В	2	1	5	9	7	10
C	. 1	1	3	2	4	3
D	4	7	17	15	21	22
Total	194	171	753	708	947	879
Revenue (\$)					186,700	173,150

## Fair Wage Schedules

	Number		Val	ue (\$)
	1986/87	1985/86	1986/87	1985/86
Schedules Included in Contracts				
Let by Provincial Ministries				
Construction	641	624	313,050,766	289,178,639
Building Cleaning and Security	203	128	9,864,086	6,708,102
Total	844	752	322,914,852	295,886,741
Schedules Updated	0	56	N/A	N/A

# Plant Closure Review and Employment Adjustment Branch

Robert D. Joyce Harry N. Shardlow Special Adviser Director to the Minister

The Plant Closure Review and Employment Adjustment Branch monitors large-scale cutbacks and closures in Ontario, providing consultative assistance to employers and employees on the provisions of the employment standards legislation and providing access to adjustment programs for affected employees.

In 1986/87, the branch:

Established the position of co-ordinator, adjustment programs in order to enhance the development and delivery of the branch's employee counselling program.

	1986/87	1985/86			
Termination Cases					
(At least 50 Employees)					
Cases:					
Full Closures	43	50			
Partial Closures	12	19			
Reduced Operations	43	42			
Total	98	111			
Employees:					
Full Closures	5,776	7,345			
Partial Closures	889	2,208			
Reduced Operations	5,629	5,130			
Total	12,294	14,683			

Industrial Adjustment Committees					
	1986/87	1985/86			
Committees Established Employees Terminated in Cases Where Committee	<b>82</b>	64			
Established Financial	9,498	8,346			
Commitment	\$30,950	\$75,310			
Employee Counselling Pr	ogram				
Programs Established Employees	23	25			
Participating	600 (est.)	1,000			

# Handicapped Employment Program

Janette Higgins Manager

The Handicapped Employment Program (HEP) promotes employment equity for people with disabilities.

Services to Private Sector Employers

In the fiscal year 1986/87, HEP accomplished the following:

Initiated visits and a survey of 100 employers concerning their employment equity needs

Provided employment equity consulting services to 75 new employer clients, bringing the total to 311

Delivered 18 training seminars: 13 to employers from a mix of companies and five to managers within specific organizations (about 250 people attended these seminars)

Continued to develop links and initiatives with six employer associations

Published a series of eight new employer publications, including 'What It Takes: Planning an Employment Equity Program for People with Disabilities'

Revised the employer-training package to include material on learning disabilities, ex-psychiatric and mental retardation in addition to physical disabilities

Published a list of 62 employer clients who are publicly encouraging applications from people with disabilities

Revised and updated the 'Barrier-Free Design' kit to further employer knowledge about modifications to worksites

Developed a background paper, 'Sharing the Risk,' on extending group life and health insurance benefits to employees with pre-existing disabilities

Provided 11 employers with Summer Experience '86 students to assist with their employment equity programs.

Services to Other Sectors

In recognition of the essential linkages needed to increase job opportunities for people with disabilities, HEP also:

Revised and updated 'Focus On Employment,' a list of resources for rehabilitation professionals working in Metropolitan Toronto

Published 'Partners for Employment: New Challenges for Rehabilitation Professionals,' highlighting new developments in the area of employment and disability

Prepared a discussion paper on supported employment, a creative approach to assist people with severe disabilities to work in competitive employment settings with the short-term assistance of an on-the-job coach

Gave a grant to Designing Aids for Disabled Adults (DADA) to cover production costs for a video on computer technology

Developed a guide for educators on school-to-work transition with input from the Ontario Association for the Mentally Retarded, the Ministry of Education and several other educators and social service agencies (to be published jointly with the Ministry of Education in 1987/88)

Gave a grant to Operation Employability, a pilot initiative of three boards of education in Hamilton/Wentworth

Pilot-tested a career-counselling approach for high-school students for the Halton Board of Education (further pilot testing and publication of material planned for 1987/88)

Developed a training package for use with trade union members

Continued to develop links and initiatives with:

- 25 vocational rehabilitation organizations
- 16 government agencies
- 21 educational groups
- 10 labour organizations
- 18 consumer or self-help groups

In response to a need for role models, developed 'Profile,' a one-issue magazine, to be published and distributed in French/English in 1987/88

Appointed staff as members of 19 committees (excluding community councils and planning committees).

#### Services to Communities

HEP provided consultation and support to various community initiatives:

Continued links and developments in 15 communities across Ontario, including participation in community councils and planning committees

Launched 'Taking Aim: Job Search Strategies for People with Disabilities' in Sault Ste. Marie, Hamilton and Barrie. Launches planned in several other communities, province-wide, during 1987/88. Published French version (print and audio) in January 1987

Gave a grant to the London March of Dimes in support of an employer conference (the tenth Ontario community in which HEP has co-sponsored a major conference)

Provided 20 organizations in 11 communities from across Ontario with Summer Experience '86 students to work on a wide variety of projects designed to increase employment opportunities for people with disabilities

Participated in 87 seminars and conferences, including 31 that HEP sponsored or facilitated and 32 others at which a staff member gave a speech

Provided staffed information displays at 11 events.

# Information Services

During 1986/87 the program provided the following information services across the province:

Distributed over 11,000 brochures plus 17,000 other resource materials to representatives of all sectors

Loaned films and videos 89 times

Gave out thousands of promotional buttons, bookmarks and information carrier bags at conferences, workshops, seminars and trade shows

Advised in person 176 job-seekers with disabilities and gave specific advice on their resumes to 79 of them

Responded to over 7,500 telephone requests throughout the year related to resources and problem-solving.

# Co-ordinator of French Language Services

Stephane G. Grenon Co-ordinator

The Office of the Co-ordinator of French Language Services provides consultation and assistance to senior ministry management in the implementation of the *French Language Services Act*, proclaimed in November 1986. The co-ordinator also provides information to Francophone groups of Ontario on ministry programs and services. The co-ordinator sits on the Council of Co-ordinators of French Language Services, chaired by the Executive Director of the Office of Francophone Affairs.

In 1986/87, the co-ordinator:

Chaired a committee of senior ministry officials. The committee's mandate is to develop strategies for the implementation of the *French Language Services Act* 

Provided assistance to individual branches of the ministry in the preparation of their french language services implementation plans

Assisted the Communications Branch by providing information services to French-speaking media in Ontario.

# **Policy Branch**

R. Coke\* Director

The Policy Branch provides the minister, senior ministry officials and the government with information, analysis and advice to assist and enable the ministry and government in developing policy positions, legislation and programs in the following areas:

Human rights

Industrial relations

Terms and conditions of employment

Occupational health and safety

During 1986/87 the branch:

Developed legislation to protect the entitlement of terminated workers to severance and termination pay in spite of unemployment insurance treatment (Bill 128)

Participated in the conclusion of the federal-provincial-territorial agreement on Workplace Hazardous Materials Information Systems (Bill 79)

Assisted in the development of consultative draft amendments to the Occupational Health and Safety Act

Completed editing and pre-publishing production of the Yassi Report on Industrial and Occupational Disease

Participated on an inter-ministerial committee to develop government policies on smoking within government buildings, in public places and in the workplace

Participated in the development of amendments to the *Pension Benefits Act* 

Participated in the annual review of the minimum wage

Represented the ministry before standing committees on Plant Closures and on Sunday Closings

Developed revised regulations for Ontario's domestic workers

Participated in the development of initiatives to ensure that ministry legislation (e.g. the *Human Rights Code*) conformed with the *Charter of Rights and Freedoms* (Bill 7)

Participated in the development of pay equity proposals (Bill 105 and Bill 154)

Participated in the development of severance, notice-of-termination and plant-closure legislation (Bill 85)

Participated in federal-provincial consultations regarding unemployment insurance reform following the Report of the Royal Commission on Unemployment Insurance.

<sup>\*</sup> R. Coke was appointed director on May 20, 1986.

#### Office Of The Worker Adviser

Odoardo DiSanto Director

The primary role of the Office of the Worker Adviser (OWA) is to assist and advise injured workers in dealing with the workers' compensation process. Of particular importance is assisting injured workers in dealing with the recently modified workers' compensation structure — that is, the Client Services Division of the Workers' Compensation Board (WCB) and the Workers' Compensation Appeals Tribunal. This role has four components, which are the key objectives of the office. They are:

Advising injured workers of their rights under the *Workers' Compensation Act* so that they will be able to represent themselves at the operating levels of the WCB

Representing injured workers, where necessary, at the Appeals Tribunal and beyond

Working with labour and injured worker groups, MPPs and other organizations representing injured workers to support them in their representation work

Identifying operational problems in workers' compensation that may require changes in practices or policies.

#### 1986/87 Activities

This period was characterized by a tremendous demand by the public for this service and the necessary growth in the organization that resulted. The requests for assistance from clients exceeded the initial work load projections by approximately 200 per cent. Some 11,632 clients had been served or were receiving service by March 31, 1987; the demand

had originally been estimated at a maximum of 6,000 cases for the first year.

To address this situation two separate applications were made to senior management to increase the staff complement of the branch. The first, which was approved July 1986, increased the complement from 42 to 66 staff members. The second request, approved February 1987, to be effective April 1987, added another 12 classified and two contract positions to the staff.

In 1986/87, the branch continued to be organized into four distinct units: the Director's Office, the Toronto Advisory Unit, the Regional Advisory Unit and the Special Services Unit. However, with the latest increase in staff, an additional two advisory units will be created by subdividing the area served by the regional unit.

The Toronto Advisory Unit has offices in Toronto, Weston and Scarborough. During 1986/87 the unit moved into new accommodation for the downtown Toronto location. This unit provided service to the area of Central Ontario, including Metropolitan Toronto. During this period there were 4,550 cases initiated and 2,025 completed in these offices. Planning was completed for the establishment of an additional office at the Downsview Rehabilitation Centre of the Workers' Compensation Board, with an opening in early 1987/88 planned.

The Regional Advisory Unit was responsible for providing service to the remainder of the province. This unit has offices in Windsor and Kitchener, and in 1986/87 also moved into new accommodation in London, Hamilton, Thunder Bay and Sudbury. The regional unit saw 7,082 cases initiated and 3,432 completed over the same period. Early in 1987/88 relocation of the Ottawa office to

a new permanent location is planned, along with the establishment of new offices in Timmins and Sault Ste. Marie.

From the outset, the OWA has attempted not only to advise and represent workers, but to analyse its case experiences with a view to improving the workers' compensation system as a whole. The approach has thus been to resolve as many recurring problems as possible on a systemic basis, in order to avoid the need for costly appeals in numerous individual cases. The OWA has worked with the other organizations in the system — the board, the tribunal and the Office of the Employer Adviser — in an effort to streamline procedures and to ensure that as many problems as possible are avoided. The OWA has also engaged in ongoing consultation with injured worker and labour organizations, in an attempt to reflect their concerns.

For the Special Services Unit, some of the important initiatives of 1986/87 included:

Permanent disability evaluation.

A core concern of the labour community is the method of evaluating and compensating for permanent disability. The interpretation of the key pension provision of the Workers Compensation Act, s.45(1) and the use of the WCB ratings schedule have been matters of debate for some time. A major priority of the OWA has been analysing WCB policy in this area and in particular, intervening in the WCAT leading case on pensions by proposing alternatives. The leading case hearings took place in Toronto over a period of 30 days from June to October 1986. The OWA, along with the WCB and several other labour and business groups, was an active participant. On March 31, 1987, no decision had yet been rendered by WCAT. (A

decision, including in particular the recognition of chronic pain, was rendered in May 1987.)

Compensation for temporary partial disability.

A number of important issues have arisen around s.40(2)(b) of the Workers' Compensation Act, which deals with compensation to temporarily partially disabled workers. In particular, there is the question of whether there is any requirement for proof of the availability of suitable work. The OWA initiated a study of this issue and agreed to participate in the WCAT leading case on s.40(2)(b). Hearings on s.40(2)(b) took place in July 1986 and a decision was rendered by WCAT in January 1987. The decision recognized several of the key arguments advanced by the OWA, in particular the argument that the burden of proving the availability of work does not lie with the worker.

Defining 'accident'.

WCAT Decision 72, rendered in July 1986, recognized that the definition of accident could include a sudden onset of pain and disability at work. The WCB requested that the WCAT reconsider this decision. The OWA was an active intervenor in the reconsideration hearing, which led the WCAT to confirm its original decision. The OWA will also be participating in the WCB's formal review of Decision 72 under s.86n of the *Act*. As of March 31, 1987 the WCB review hearing had not taken place.

Analysis of Workers' Compensation Appeals Tribunal procedures.

Various aspects of these procedures were studied, including the disclosures of workers' files, the role of the tribunal counsel, and hearing and pre-hearing procedures. The

result of this study was a fruitful process of discussion between this office and the tribunal, with the OWA participating in the advisory group to the tribunal.

# Office of the Employer Adviser

Jason E. Mandlowitz Director

The Office of the Employer Adviser(OEA) provides Ontario employers with advice on matters relating to workers' compensation through practical assistance on WCB-related problems and questions and advocates policy on behalf of employers by communicating their concerns to the proper administrative authorities.

The OEA helps to provide an independent appeals and claims review system in Ontario and assists employers to understand WCB procedures, policies and statutory operating requirements.

In 1986/87 the OEA:

Provided service to clients based on escalating caseloads

Expanded the Toronto office and established new, permanent office locations in Windsor, Kitchener, Sudbury and Ottawa

Obtained approval to open a new, permanent location in Hamilton for 1987/88

Recruited new staff to accommodate all new, permanent positions in OEA structure (OEA had 23 positions in five locations for 1986/87; with Management Board approval in March 1987, this summer will increase to 27 positions in six locations)

Obtained approval to recruit a new Policy Analyst and Manager-Regional Services in the Toronto Head Office

Provided toll-free province-wide phone service in all OEA offices

Fully automated OEA offices with microcomputers

Initiated an OEA private sector Advisory Council and convened two meetings to provide advice on policy to OEA

Obtained an associate membership to the Municipal WCB Users Group. (A non-profit organization of municipal government WCB users to lobby the WCB)

Produced and distributed over 60,000 copies of the OEA's general information brochure

Initiated media and training programs as follows:

- 11 workshops on workers' compensation;
- travel to advise clients on a one-to-one basis in ten communities (Sault Ste. Marie, Sudbury, Ottawa, Hamilton, Thunder Bay, St. Catharines, London, Cornwall, Chatham and Sarnia);
- 95 speaking engagements to employer groups (business/trade associations, safety associations, and companies); and
- a publication series using brochure-length and multi-page bulletins to provide information on specific issues on a 'did-youknow?' and 'how-to!' basis.

Launched the OEA Internship Program, effective July 1, 1987 Advocated on many issues, including the WCAT leading case strategy on pensions and the WCB reconsideration of WCAT Decision No. 72 (definition of accident).

#### OEA Service Load Total by Area

Area of the Province	OEA Office	Service Load
Metropolitan Toront	io	
and Greater area	Toronto	2,080
Southwestern		
Ontario	Windsor	390
Southwestern		
Ontario	Kitchener	550
Northern		
Ontario	Sudbury	480
Eastern		
Ontario	Ottawa	460
Total		3,960

### OEA Service Load by Sector of the Economy

Sector Per c	ent of Service Load
Construction	30
Manufacturing and Processin	g 30
Service (Including Health Ca	re) 18
Transportation	8
Schedule 2 (Employers Who	
Pay Direct WCB Costs)	3
Other (Including Agriculture,	
Mining, Retail, etc.)	$\epsilon$

#### OEA Service Load by Size of Employer

Firm Size	Per cent of Service Load
Under 50 Employees	75
50 to 100 Employees	15
Over 100 Employees	10

# Finance And Administration Division

# M. Rodrigues Executive Director

The Finance and Administration Division is responsible for providing administrative support for the operating branches of the ministry. The support activities consist of financial management and analysis services, administrative operations, communications, internal audit, library and information services, human resources services and management information systems.

# Financial Management and Analysis Branch

## J. Leggatt\* Director

The objective of the Financial Services and Analysis Branch is to ensure that there are highly effective and efficient financial management, planning, reporting, evaluation and control systems in place within the Ministry of Labour to support the attainment of ministry objectives and the government's goal of effective control of expenditure, revenue collection and results. The branch administers the ministry's accounts payable and receivable systems and is also responsible for the processing of the ministry's payroll and related employee benefits.

#### In 1986/87 the branch:

Established the administrative framework to integrate financial planning and budgeting activities in 1987/88

Introduced portfolio assignments for staff to maximize client support through the provision of one-window analytical, planning and budgeting services.

<sup>\*</sup> J. Leggatt was appointed director on April 14, 1986.

1986/87 Summary of Ministry Expenditures, Revenue and Funds

Ехр	General enditure (\$000s)	General Revenue (\$000s)	Trust Funds (\$000s)
Ministry			
Administration	19,265	176	_
Industrial			
Relations	8,229	36	_
Occupational			
Health and			
Safety	43,306	10,028	_
Employment			
Standards	8,210	313	6,211
Human Rights			
Commission	6,927	2	-
Labour Relation	ns		
Board	6,850	53	_
WCAP	4,359	4,010	_
Credits	_	362	_
Total	97,146	14,980	6,211

#### Human Resources Branch

## N. E. Mayne Director

The Human Resources Branch provides consultative services to the Ministry of Labour in the areas of staffing, compensation, staff relations, human resources planning, staff development and training, benefits administration, and the related processing and records maintenance functions.

The branch operates under the authority of the *Public Service Act* and Regulations, the *Crown Employees Collective Bargaining Act*, and the Collective Agreement, and is responsible for their administration.

The branch's 1986/87 activities included:

#### Staffing

Administering 338 recruitment competitions, which included significant activities to hire additional construction and industrial health and safety officers

Placing 421 students through special programs

Summer Students (Experience '86)	266
Summer Students - Ministry Paid	23
Students Training in	
Industrial Relations (STIR)	33
Work Week Students (High School)	44
Secondary School CO-OP	32
Handicapped Work Stations	16
Ontario-Quebec Student Exchange	7
Total	421

### Compensation and Staff Relations

Implementing the new job evaluation plan (Office Administration Group)

Updating, evaluating and classifying 350 positions in the ministry and its boards, agencies, and commissions, including the Workers' Compensation Appeals Tribunal (WCAT)

Conducting in-depth job reviews in the district offices

Conducting a reorganization of position codes in the Employment Standards Branch and a realignment of the Finance and Administration Division

Revising Human Rights Commission Officer class standards

Providing ongoing advice and consultation to management and staff on industrial relations matters

Administering the Collective Agreement, the *Crown Employees Collective Bargaining Act*, and the *Public Service Act* and Regulations

#### Staff Development and Training

Co-ordinating and chairing a major training and development project involving the establishment of a new training curriculum for a division of 700 to 800 technical and professional staff

Conducting a comprehensive review of the ministry's Performance Appraisal System, including a survey of 160 employees and managers and a statistical analysis of results

Extensively revising the orientation program for new employees and establishing a schedule for regular operation in 1987/88

Developing, conducting and evaluating a 'pilot' Career Planning workshop in conjunction with the Employment Equity Program

### Human Resources Planning

Developing a consolidated human resources planning function

Completing a human resources strategy for the Ministry of Labour to respond to the government's Strategies for Renewal initiative

#### Benefits

Providing employees with advice and interpretation regarding Voluntary Exit Opportunities (VEO) prior to its implementation on April 1, 1987

Continuing to participate in employee counselling, benefits administration,

district office workshops, and the annual pre-retirement program.

# Management Information Systems Branch

Michael E. Roach\* Director

The objective of the Management Information Systems Branch is to enable the effective and efficient provision of information technology and systems in support of Ministry of Labour programs, government legislation and policy.

The branch provides the following services:

Information technology planning

Systems planning

Data and information resource management

Systems development and maintenance

Technology awareness and training.

The branch's 1986/87 activities included:

Preparation, on behalf of the ministry, of the Information Technology Strategic and Tactical Plan

Design, development and implementation of a comprehensive technology training program for all program areas of the ministry

Evaluation, selection and initial installation of computer hardware for the Office of Arbitration and Ontario Labour Relations Board

<sup>\*</sup> Michael E. Roach was appointed director on July 7, 1986.

Evaluation, selection and installation of a minicomputer for development of information systems projects for the ministry

Evaluation, selection and installation of a province-wide facsimile system

Acquisition of increased hardware for the Occupational Health Laboratory computer system

Commencement of analysis and design phases of case management systems for the Office of Arbitration and Ontario Labour Relations Board

Evaluation and selection of integrated hardware and office automation software, for the Workers' Compensation Appeals Tribunal

Formation of an Information Technology Centre to assist ministry users in the use of information technology.

# Administrative Operations Branch

R. R. Hogarth Director

The head office staff of the Administrative Operations Branch provide records management, central purchasing, accommodation, telecommunication, reproduction, mail, stockroom, and transportation services to the ministry's program groups.

District office staff provide administrative support services to the ministry's programs that serve their client groups out of district and field office locations.

Activities in 1986/87 included:

Negotiating for and co-ordinating additional facilities or relocations to respond to the expanded operations of the ministry's branches, boards and commissions both at head office and field locations. These include the Employment Standards Branch, offices of the Worker Adviser and Employer Adviser and Ottawa and London district offices

Initiating and co-ordinating improved telephone systems for several locations, including the Employment Standards Branch, offices of the Worker Adviser and Employer Adviser and the Occupational Health and Radiation Protection Laboratories

Developing, obtaining approval for, and implementing a consolidated records management policy for all branches of the Occupational Health and Safety Division

Participating in the task force that developed consolidated operational forms for the Occupational Health and Safety Division

Procuring equipment, supplies and services on behalf of the ministry. The total amount was \$13 million. Purchases ranged from sophisticated technical equipment required by the Occupational Health and Safety Division to replenishing the ministry's central stockroom. The number of requisitions processed and purchase orders issued increased by 25 per cent over 1985/86.

# Ongoing Activities of the Administrative Operations Branch, 1986/87

Records Management	
Schedule Implementation	
	Cubic feet
Inactive Records Transferred	
to the Records Centre	2,500
Destruction of Obsolete Records	
from Records Centre	900
Destruction of Obsolete Records	
from Ministry	1,260
Archival Records Transferred to	
Archivist of Ontario	295
Forms Management	
Review of Forms	235
Analysis and Design of New Forms	135
Analysis and Design of Revised Forms	260
Reprinting of Forms with	
No Graphic Changes	930
Elimination of Obsolete Forms	40

Copy Centre	Per month	(average)
Average Number		
of Impressions		1,300,000
Stockroom		
Shipments Received		290
Items Supplied to Program	Areas	2,009

5,530

4.125

80

Office Services

Purchasing

Requisitions Processed

Tenders Processed

Purchase Orders Issued

#### **Internal Audit Branch**

### D. A. Anderson Director

The Internal Audit Branch provides independent and systematic reviews of all operations of the ministry and its agencies (excluding the Workers' Compensation Board) in the areas of finance, management and information systems.

#### In 1986/87 the branch:

Redeveloped the Audit Committee mandate and role

Redeveloped the Audit Branch mandate and role

Developed corporate policy related to audit, in the areas of fraud, responses to audits and audit of systems development projects

Completed a comprehensive detailed audit of the Library and Information Services Office

Acquired data processing equipment, which will immediately assist in management of the audit program, and will ultimately enable the branch to conduct computer-assisted and EDP audits

Completed management audits of the Administrative Operations Branch and Research and Analysis Office.

#### **Communications Branch**

#### Robert I. Cohen Director

The Communications Branch helps create and sustain awareness and understanding of the ministry's policies and programs. The branch provides professional advice to the minister, deputy minister and senior officials and support through two principal areas of activity – news and information and communications planning and services.

#### In 1986/87 the branch:

Researched and produced 30 statements and 63 speeches

Issued 36 news releases and handled approximately 2,000 news media inquiries

Answered or referred approximately 3,500 public telephone inquiries and distributed requests for publications

In consultation with relevant program areas, edited and produced 45 new brochures and other publications; revised a further 27 and reprinted 52 others

Planned and co-ordinated corporate and program advertising

Provided communications support for the Task Force on Hours of Work and Overtime

Administered and placed journalism students in the 'Experience 1986 – Students Working in Media' program (Students placed with media sponsors for 13 weeks of on-the-job training.)

Assessed branch automation requirements and implemented new technology.

# Ministry Library and Information Services

## Sandra A. Walsh Manager

The Ministry Library and Information Services, one of the major collections in its subject area in Canada, provides a centralized, responsive and proactive service to support the programs and initiatives of the ministry and those of its agencies, commissions and committees in print, microform and electronic format.

#### Activities in 1986/87 included:

Designing and setting up an automation area for all computer applications and to provide a demonstration and staff meeting area

Enhancing automated facilities already in place by ongoing maintenance of the five internal files on the BASIS system, including the MOLINDEX serials database, the Ontario Human Rights Commission and Employment Standards Decision databases, and the introduction of two new online information retrieval systems for a total of 14

Assessing integrated library automation systems to provide for a more comprehensive and cost – effective way to interface all library functions

Continuing the Selective Dissemination of Information service to provide material on a proactive basis

Completing the automated cataloguing of the collections of the satellite libraries

Participating on the Freedom of Information Committee and preparation for the designated reading room

Participating on the French Language Services Committee and formulation of plans for acquisition of publications, language training and appropriate signage.

Statistics		
	1986/87	1985/86
Publications Ordered	1,508	1,589
Publications Catalogued	4,000	1,709
Circulation	6,196	7,687
Interlibrary Loans		
Loaned	2,498	2,584
Borrowed	698	908
Reference		
Ministry	1,375	1,960
Non-Ministry	4,146	3,594
Online Literature Searches	1,002	930
Articles Indexed	7,686	7,639
Bulletins Mailed	37,454	37,625
Articles Requested		
Ministry	8,427	8,864
Non-Ministry	7,699	6,186
Records on BASIS Database	es	
MOLINDEX		
(Serials)	65,550	59,000
MOLICAT		
(Library Catalogue)	22,348	21,000
OLRB Decisions	7,741	7,446
ESA Decisions	2,014	1,428
OHRC Decisions	396	376

# Organizations Reporting Directly to the Deputy Minister

## Science Policy Adviser

Ann E. Robinson, Ph.D., C.Chem., F.C.I.C. \*

The Science Policy Adviser:

Provides advice to the deputy minister on existing and emerging issues in occupational and environmental health and safety

Maintains contact with other jurisdictions on current issues

Is identifying research initiatives and needs of institutions and researchers and will develop occupational health and safety research policy for the ministry.

\* Ann E. Robinson was appointed science policy adviser on January 26, 1987.

# Ontario Quality of Working Life Centre

#### Dr. Hans Van Beinum Executive Director

The Quality of Working Life Centre continues to fulfil its mandate to initiate, diffuse and support QWL activities in joint union-management settings in Ontario by means of three program areas: consultation, education and information services.

In 1986/87, the centre:

Began to develop an orientation to give more attention to questions regarding new technology and health and safety Helped redesign of a major human service facility jointly with union and management — a redesign that, also includes a review of the concept of care

Consulted, either periodically or in an ongoing capacity, for a variety of organizations, including an electronics firm, a resource company, a bakery, a government department, a canning company and a scrap-metal firm

Held three one-day introductory seminars, as well as one longer, more advanced seminar

Collaborated in the design and planning of the program for the third International Symposium on Productivity

Made presentations to over 30 groups and organizations

Continued to co-ordinate the Internal Facilitators Network

Delivered three thematic seminars and various tailor-made seminars

Distributed approximately 2,500 articles and publications to individuals and organizations

Published the centre's news journal, 'Focus.'

# **Employment Equity Program For**Women

## Sheila Dann Program Manager

The program manager is a full-time position reporting to the deputy minister. The mandate of the program is to ensure equal employment opportunity in the ministry. The manager liaises with the Human Resources Branch and the Ontario Women's Directorate.

The program manager provides a resource to branch directors in implementing employment equity initiatives and chairs a committee of branch representatives who relay employment equity information to ministry employees.

As a member of the Employment Equity Council, the program manager helps to guide the corporate Employment Equity Program.

#### 1986/87 Activities

At the start of the year, the program planned a number of hire/promotion targets and developmental assignments for women of the ministry.

### Hire/promotion targets are:

Those currently underrepresented occupational groups in which less than 30 per cent are women

Those applicant pools in which there are enough qualified women to compete for the positions.

The ministry's target determination is based on the projected vacancies and the potential number of male and female applicants.

In 1986/87, the program activities included:

Setting and meeting 23 targets in the following occupational groups: professional module, administrative module, technical module, maintenance services category, administrative services category, technical services category and scientific and professional services category

Increasing representation in all modules and categories this year over previous years

Providing 46 women with developmental assignments. The three-to-six month assignments were designed to qualify participants to compete for higher level or traditionally male occupations

Working closely with the branch directors to enable them to meet their branch employment equity commitments

Making presentations to the branch managers and to regional offices on the development of the program

Conducting personal career-counselling interviews

Maintaining an inventory of all female employees for the purpose of effectively monitoring hirings and promotions

Presenting three two-day workshops entitled 'Power and Self-Image' to all interested women in the ministry, including the Thunder Bay regional office as part of an interministerial initiative

Presenting a series of short seminars and workshops (e.g. 'Sexual Harrassment in the Workplace') to some regional offices Organizing 'Lunch and Learn' noon-hour presentations

Representing the Ministry of Labour on the Employment Equity Council's Regional Delivery and Interministerial Task Forces

Providing opportunities for senior women to attend workshops co-ordinated by the Employment Equity Program managers

Publishing the Employment Equity quarterly newsletter, 'Directions'

Implementing a three-phase pilot project to introduce women into the underrepresented category of occupational health and safety inspector-2 in the Construction Health and Safety Branch. This year, first-year female college students were hired under the Summer Experience Program and three students returned for their second summer's experience. After the second summer's experience, and upon completion of her college certificate, one of the students was hired on a one-year contract with the ministry

Seconding two female support staff members in regional offices of the Construction Health and Safety Branch to the inspectorate

Organizing 'Personal Best,' the first conference for women from the regional offices in Toronto in April 1986. One representative from each regional office attended the threeday session.

In early 1987 the corporate 'Affirmative Action' program name was officially changed to the 'Employment Equity Program for Women.' The ministry is currently looking into expanding the program to include visible minority groups, francophones, the handicapped and native peoples.

# Legal Services Branch

Julia Bass Director

The Legal Services Branch provides legal advice to the Ministry of Labour; drafts legislation, regulations and contracts; acts in consultation with the ministry's branches on investigations into alleged breaches of the acts and regulations; and conducts prosecutions, where necessary to enforce employment standards and to protect the employee from an unhealthy or unsafe workplace.

During 1986/87, the branch:

Appeared as counsel for the ministry in 131 applications for review of Orders to Pay and section 51 hearings under the *Employment Standards Act*. A total of 98 hearings were completed in the fiscal year

Assisted in the extensive drafting of 13 regulations under the major acts of the ministry and numerous pieces of legislation for the ministry

Received a total of 698 files under the *Occupational Health and Safety Act*; this is a 59 per cent increase over 1985/86. A total of 204 prosecutions were completed during the fiscal year

Took over responsibility for representing inspectors on appeals of inspectors' orders. This is a major new role for the branch

Approximately doubled in size due to a major increase in work load in the number of prosecution files and several other areas of the branch's work

Installed IBM PCs for virtually all support staff

# Boards and Commissions

#### **Ontario Labour Relations Board**

Judge R. S. Abella Chair

D. K. Aynsley Registrar and Chief Administrative Officer

The Ontario Labour Relations Board is a quasi-judicial independent tribunal responsible for the administration of the *Labour Relations Act*. Under this Act, the board:

Certifies trade unions as collective bargaining agents for employees

Appoints officers to mediate complaints of contraventions of the Act, conducts hearings into complaints that are not settled and grants remedial orders where it finds that the Act has been contravened

Issues directions and declarations where unlawful strikes and lock-outs have occurred

Settles jurisdictional disputes arising from assignment of work

Accredits employers' organizations and employer bargaining agencies in the construction industry

Certifies employee bargaining agencies in the construction industry

Conducts arbitration hearings arising from grievances under construction industry collective agreements

Terminates bargaining rights

Directs the settlement of a first collective agreement by arbitration

Arbitrates the settlement of a first collective agreement

Provides opinions to the minister relating to his authority to appoint conciliation officers or arbitrators.

In 1986/87 the board:

Received 3,577 new cases, an increase of 11 per cent over 1985/86, including:

- 1,034 applications for certification;
- 862 complaints of contravention of the Act;
- 865 referrals of grievances under construction industry collective agreements.

Disposed of 3,684 cases, an increase of 17 per cent over 1985/86

Conducted 262 representation votes, an increase of 17 per cent over 1985/86

Held 1,476 hearings, an increase of 13 per cent over 1985/86

Assigned 2,186 cases to labour relations officers, who obtained settlements in 89 per cent of the assignments, an increase of ten per cent over 1985/86

Reduced by 54 per cent the number of cases awaiting decision over six months

Reduced by 11 per cent over 1985/86 the number of cases pending at year end

Introduced procedures to administer new sections of the Act dealing with the settlement of a first collective agreement by arbitration Introduced a new scheduling procedure for many types of applications

Increased the number of pre-hearing conferences chaired by adjudicators to further encourage settlement of disputes by the parties

Began introducing an automated office and information system, including computerized case management.

Details of the activities of the board and its staff will be found in the board's 1986/87 annual report.

# Advisory Council on Occupational Health and Occupational Safety

Dr. D.R. McCalla Chairman Dr. C.J. Tuohy Vice-chairman

The Advisory Council on Occupational Health and Occupational Safety advises the Minister of Labour on matters relating to occupational health and safety that may be brought to its attention or referred to it. Members of the council are representative of management, labour and technical or professional persons and the public who are concerned with and have knowledge of occupational health and safety.

During the 1986/87 fiscal year, council submitted four advisory memoranda to the minister on:

The establishment and functioning of joint health and safety committees

#### Consultation

Council's reviews of the process used by the ministry to develop the proposed designated substance regulations for lead on construction projects and ethylene oxide

The advisory memoranda, the minister's responses and correspondence relating to previous advisory memoranda and other matters are included in council's Ninth Annual Report.

## Ontario Human Rights Commission

Borden C. Purcell Chairman George A. Brown
Executive Director

The Ontario Human Rights Commission forwards the policy that the dignity and worth of every person be recognized, through the investigation of complaints of discrimination, policy development, public education and recommendation of special programs. The Race Relations Division conducts programs designed to alleviate racial, ethnic or religious tensions and conflicts.

In 1986/87, the commission:

Registered 1,727 complaints, an increase of 27 per cent over 1985/86

Resolved 1,647 complaints, an increase of 46 per cent over 1985/86

Requested the minister to appoint 70 boards of inquiry, a 71 per cent increase over the previous fiscal year

Reviewed 21 requests regarding special programs (affirmative action)

Handled 50,579 public inquiries and referred 16,427 individuals to the appropriate agency

Reviewed 729 employment application forms and job advertisements to ensure that they complied with the Code

Conducted 1,033 public educational undertakings.

The Race Relations Division conducted:

122 community mediations

172 community relations projects

1,319 consultations.

Details of the achievements, role and programs of the Ontario Human Rights Commission will be found in the commission's 1986/87 annual report.

## Workers' Compensation Board

Robert G. Elgie, M.D., Q.C. Chairman

The Worker's Compensation Board of Ontario, which operates out of 14 offices province-wide, including a Toronto head office, provides three fundamental services for Ontario's workers and employers. First, it adjudicates claims for work-related injuries and occupational diseases, and it compensates workers for time lost from work and for permanent disability. Second, it furnishes workers with comprehensive health care and vocational rehabilitation services to assist their recovery and return to gainful employment. Third, it pays for these services through the collection of funds from the province's employers.

In 1986, the board:

Introduced a new approach to integrate and upgrade its services to its clients

Established a new structure of three integrated service groups — Client Services, Policy and Specialized Services, and Corporate Services — to transform the board into a more efficient, accessible and fiscally

responsible service agency for the years ahead

Opened regional offices in Hamilton and Thunder Bay in 1986 to upgrade the board's services in those regions

Announced the opening of a third regional office scheduled for start up in Ottawa in May 1987, and a fourth office in Windsor in early 1988.

The year 1986 saw new claims across the province total 442,080. Of total claims:

46.0 per cent (203,241) were accepted as lost-time claims, involving time off work and compensation payments

47.6 per cent (210,375) were accepted as no-lost-time claims — for accidents that necessitated health care treatment, but no time off work beyond the day of the accident

5.8 per cent (25,742) were not accepted as claims of either category

0.6 per cent (2,722) were either pending or withdrawn.

During the year, the board:

Awarded total benefits (exclusive of provision for increase) amounting to \$1,246,269,000

Collected \$1,597,038,000 in assessment income from Ontario's 187,000 employers.

Board rehabilitation staff throughout Ontario were instrumental in:

Rehabilitating 5,945 injured workers in 1986

Returning 5,151 injured workers to work

Assisting 794 injured workers to achieve financial self-sufficiency.

Further details of these developments and the other board activities may be found in the board's 1986 annual report, which covers the fiscal year ending December 31, 1986.

## Workers' Compensation Appeals Tribunal

### S. Ronald Ellis Chairman

The Worker's Compensation Appeals Tribunal is the final level of appeal to which workers and employers may bring Workers' Compensation Board (WCB) matters regarding entitlement to benefits, health care and vocational rehabilitation. It also decides appeals from WCB decisions on assessments, penalties and transfers of costs as well as disputes over employer access to workers' files and workers' objections to undergoing medical examinations requested by employers. In addition, the tribunal decides if a person has the right to sue in court instead of making a compensation claim.

In 1986/87, the tribunal:

Moved into permanent premises at 505 University Avenue

Reorganized its management structure to enhance tripartite participation in the management of the tribunal by neutral vice-chairs and representatives of workers and employers

Trained 33 new full or part-time panel members in hearings procedure and substantive legal and medical issues, and continued the education of existing members and staff

Compiled case descriptions and otherwise assisted in the preparation of cases for hearings

Held 1,134 hearings — 882 in Toronto and 252 in six regional centres around the province

Released 712 decisions, of which 265 were identified as significant, and disposed of another 430 cases without a hearing

Broke new ground on such issues as chronic pain, disablement and the definition of 'accident'

Developed criteria for leave to appeal WCB Appeal Board decisions to the tribunal

Defined guidelines for employer access to worker's files and medical records, and for medical examinations of workers

Completed hearings in the Pensions Leading Case, including 24 days of evidence and three days of submissions from three parties, eight intervenors and the WCB

Distributed selected significant decisions to 694 subscribers

Published and distributed a Keyword Index and other research aids for finding cases on particular topics

Published a newsletter five times to update information about tribunal members, staff, administration, procedures and decisions

Published two editions of the 'Compensation Appeals Forum,' containing readers' comments and criticism on the tribunal's decisions

Established a library collection of books, journals and files available to staff, panel members and parties.

# **Industrial Disease Standards Panel**

Dr. James M. Ham Chairman

The Industrial Disease Standards Panel is a Schedule I Agency advising the Workers' Compensation Board of Ontario on its investigations and findings of probable connection between disease and the workplace in the province, and on criteria and eligibility rules for the adjudication of claims for compensation respecting those industrial diseases.

In 1986/87, the Panel:

Reported findings concerning lung cancer among Ontario gold miners

Initiated an investigation into the relationship between occupational exposure to PCBs and the various cancers

Initiated a review of the board's guidelines on lung cancer and Ontario uranium mining

Initiated a study of a methodological issue referred to as the 'healthy worker effect'

Initiated a study on principles and procedures concerning the evaluation of claims for occupational diseases

Initiated a study to develop the panel's agenda.

Details of the panel's activities during this formative year may be found in its 1986/87 annual report to the minister.

# **Public Service Appeal Boards**

T. A. Inniss Secretary

The four statutory tribunals comprising the Public Service Appeal Boards function as independent quasi-judicial tribunals which oversee the labour relations of Ontario Crown Employees.

# Ontario Public Service Labour Relations Tribunal

P.C. Picher Chairperson

T.A. Innis Registrar

The Ontario Public Service Labour Relations Tribunal administers the *Crown Employees Collective Bargaining Act*; it is empowered by the Act to appoint mediators and arbitrators and to adjudicate matters referred to it by government employers, employee organizations or employees on such matters as:

representation rights

unfair labour practices

employee inclusion/exclusion from bargaining units

In 1986/87, the tribunal:

established procedures for dealing more expeditiously with cases

reduced the backlog of grievances

increased the use of labour relations officers to effect settlement of cases or reduce the issues in dispute.

# Crown Employees Grievance Settlement Board

O.B. Shime Chairperson

T.A. Inniss Registrar

The Crown Employees Grievance Settlement Board is an independent agency responsible for the resolution of collective agreement disputes between the employer, trade unions and employees. It reports to the legislature through the Minister of Labour.

In 1986/87, the board:

established procedures for dealing more expeditiously with cases

increased its capacity to hold cases in different locations

reduced the backlog of grievances

appointed 10 additional vice-chairmen.











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# Ministry of Labour Annual Report 1987/88



Ministry of Labour Annual Report 1987/88

> Fiscal year ending March 31, 1988

ISSN 0318-4641





Ontario Ministry of Labour Ministère du Travail de l'Ontario

Office of the Minister Bureau du Ministre

400 University Avenue Toronto, Ontario M7A 1T7 416/965-4101

September 15, 1988

His Honour
The Lieutenant-Governor in Council

May it please Your Honour:

I have the privilege of presenting the 69th Annual report of the Ministry of Labour, which covers the financial year ending March 31, 1988.

The year was one of significant activity in all areas of the Ministry's mandate. In the area of Employment Standards, important amendments to the Employment Standards Act which provide wide-ranging new protections for workers affected by plant closures, layoffs and terminations were passed and granted assent by Your Honour.

In the area of workers' compensation, the Ministry was engaged in intensive preparations for the introduction on June 20 of Bill 162, which embodies fundamental and fareaching measures to make the system more equitable and more responsive.

In the field of occupational health and safety, there were also significant advances. Among these were new law to implement the Workplace Hazardous Materials Information System, which comes into force across Canada on October 31, and preparations for additional amendments to the Occupational Health and Safety Act. These preparations included new and extensive consultations with both labour and management, in keeping with my expressed intention of involving the workplace parties more closely in the development of workplace policy.

In sum, 1987-88 was a year of vigorous and productive effort. I wish to acknowledge, and express my gratitude for, the contribution of the Ministry's personnel towards the over-all result.

The Honourable Gregory Sorbara

Minister





Ontario Ministry of Labour Ministère du Travail de l'Ontario

Office of the Deputy Minister Bureau du sous-ministre

400 University Avenue Toronto, Ontario M7A 1T7 416/965-4115

September 15, 1988

The Honourable Gregory Sorbara Minister of Labour

Dear Mr. Sorbara:

I am pleased to submit for your consideration the annual report of the Ontario Ministry of Labour for the 1987-88 financial year.

Much of the work during the year involved ongoing consultations with the Ministry's primary clients in preparation for major legislative initiatives.

The wide range of challenges faced during the year were responded to in a manner that reflected the professionalism and commitment of the staff.

Respectfully submitted

· Lever R. 4

Glenn R. Thompson Deputy Minister



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Pay Equity Commission

# **Acts Administered**

## Administered By

Crown Employees
Collective Bargaining Act

Crown Employees Grievance Settlement Board and Ontario Public Service Labour

Relations Tribunal

Employment Agencies Act
Employment Standards Act

Employment Standards Employment Standards Employment Standards

Government Contracts Hours and Wages Act

Office of Arbitration

Hospital Labour Disputes
Arbitration Act

Employment Standards Labour Relations Board

Industrial Standards Act

Main Office

Labour Relations Act

Occupational Health and

Ministry of Labour Act Occupational Health and

Employment Standards
Pay Equity Commission

Safety Act

Main Office

Safety Division

One Day's Rest in Seven Act

Workers' Compensation Board Workers' Compensation Board

Pay Equity Act

Insurance Act

Workers' Compensation Board

Rights of Labour Act

Workers' Compensation

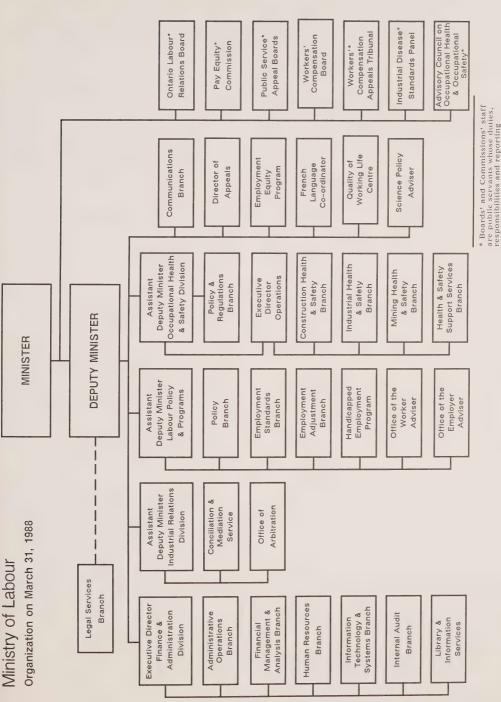
Workers' Compensation Act

Blind Workmen's Compensation Act

# Some Facts and Figures on the 1987/88 Year \*

Expenditures	\$107.4 million
Number of Staff at March 31, 1988	1,932
Industrial Relations	
Conciliations Undertaken	3,560
Number of Employees Affected	473,707
Mediations Undertaken Where No Work Stoppage Was Involved	848
Number of Employees Affected	100,578
Mediations Undertaken Where Work Stoppage Was Involved	244
Number of Employees Affected	29,308
Employment Standards	
Number of Collections Made on Behalf of Employees	11,327
Number of Employees Benefited	21,682
Amount Collected	\$10.3 million
Inquiries Handled	1,054,693
Occupational Health and Safety	
Inspections Conducted	69,377
Orders Issued	65,711
Stop-work Orders Issued	2,774
Prosecutions Undertaken	564
Chest X-rays Conducted	26,134
Pulmonary Function Tests Performed	24,142
Laboratory Analyses Done	93,712

<sup>\*</sup> The provincial laws administered by the Ontario Ministry of Labour and the agencies, boards and commissions that report to the Legislative Assembly through the Minister of Labour, cover approximately 3.9 million workers at approximately 233,000 workplaces in Ontario. Federal law covers the approximately 430,000 workers in Ontario who work in federally-regulated sectors.



\* Boards' and Commissions' staff are public servants whose duties, responsibilities and reporting relationships are governed by the Public Service Act.



# Industrial Relations Division

# L.V. Pathe Assistant Deputy Minister

The role of the Industrial Relations Division is to promote harmonious relations between employers and employees in order to help ensure a stable labour relations climate in the province by:

Encouraging effective bargaining as contemplated by the *Labour Relations Act* 

Promoting peaceful settlements through conciliation and mediation services

Providing, where necessary, preventive mediation assistance to labour and management during the term of a collective agreement

Facilitating the processes of grievance and interest arbitration in accordance with the intention of the *Labour Relations Act* and the *Hospital Labour Disputes Arbitration Act* 

Collecting and analysing collective bargaining information for the use of the ministry and the industrial relations community.

The objective was pursued through Program Administration, the Research and Analysis Unit, the Ontario Conciliation and Mediation Service and the Office of Arbitration.

The assistant deputy minister is responsible for directing and co-ordinating the activities of the Industrial Relations Division.

# Construction Industry Advisory Board

The Construction Industry Advisory Board has been established to advise the minister of issues of common concern to labour and management in the construction industry.

# Research and Analysis Unit

L. Haywood Catherine Winter\*
Chief Economist Administrator

The Research and Analysis Unit is responsible for collecting and providing information, data and analyses on all matters related to labour relations and collective bargaining. It maintains an up-to-date file of all collective bargaining agreements in Ontario through the operation of the Collective Agreements Library. It also supplies the Ontario Labour Relations Board and the Ontario Conciliation and Mediation Service with information on their case activities and with the statistical analyses necessary for them to evaluate their operations.

In 1987/88 the unit:

Monitored an average of 382 board cases and 387 Conciliation and Mediation Services cases per month in order to collect and process information on a wide range of aspects

Monitored approximately 300 work stoppages

Helped over 5,000 visitors to obtain information from the 9,500 agreements on file in the Collective Agreements Library

<sup>\*</sup> Catherine Winter was appointed administrator on September 8, 1987.

Answered more than 4,600 telephone requests for information

#### Published the following:

- 'Collective Bargaining Settlements and Negotiations in Ontario' (monthly)
- 'Wage Developments in Collective Bargaining Settlements in Ontario' (quarterly)
- 'Collective Agreements Expirations' (annually).

# Ontario Conciliation and Mediation Service

Romain C. Verheyen\* Director Fraser Kean\*\*
Acting Associate
Director

The goal of the Ontario Conciliation and Mediation Service, which operates under the *Labour Relations Act*, is to foster harmonious labour relations by promoting peaceful settlements of collective bargaining disputes through conciliation and mediation and by providing preventive mediation assistance to labour and management during the term of a collective agreement.

#### In 1987/88:

Conciliation officers disposed of 2,880 assignments compared to 3,360 the previous year

680 cases were being dealt with by officers, compared to 637 in 1986/87

Negotiating parties reached agreement on 929 of the cases that were disposed of, although 202 of them involved a work stoppage

Mediators played a preventive role in 122 cases in 1987/88, compared to 75 cases in 1986/87

The branch introduced computers to improve its case management system and daily file processing system.

<sup>\*</sup> Romaine C. Verheyen was appointed director on September 1, 1987.

<sup>\*\*</sup>Fraser Kean was appointed acting associate director on January 4, 1988.

Conciliation Applications Dealt with Under the Ontario Labour Relations Act (p)

	1987/88		198	6/87
	Disputes	Employees	Disputes	Employees
Assignments Received by Officers	3,560	473,707	3,997	386,805
Carried from Previous Year	637	65,431	. 745	64,940
Assigned to Officer During Year	2,923	408,276	3,252	321,865
Assignments Disposed of by Officers	2,880	403,193	3,360	321,374
Settled by Officer				
Construction	80	571	202	8,710
Non-construction	868	83,353	834	60,040
No board				
Construction	299	14,412	720	87,165
Non-construction	1,380	285,848	1,359	140,089
Referred to Conciliation Board				
Construction	0	0	0	0
Non-construction	0	0	0	0
Lapsed or Withdrawn				
Construction	20	352	57	3,024
Non-construction	233	18,657	188	22,346
Assignments Pending at March 31	680	70,514	637	65,431

### Preventive Mediation Activity

	1987	7/88	1986	5/87
	Situations	Employees	Situations	Employees
Assignments Received by Officers	217	62,249	184	31,977
Carried from Previous Year Assigned to Officers During Year	95 122	20,514 41,735	109 75	24,756 7,221
Assignments Disposed of by Officers	149	35,880	89	11,463
Assignments Pending at March 31	68	26,369	95	20,514

<sup>(</sup>p) Preliminary

	Work Stoppage Involved	Employees	48,388	1,654	46,734	44,445	34,639		9,266	184	Ċ E	/3	3,943
	Wc Stop Invo	Disputes	295	30	265	249	182	į	7.0	4	•	7	46
	ork age ed	Employees	146,127	8,881	137,246	137,248	119,420		16,403	813	i d	13/	8,879
1986/87	No Work Stoppage Involved	Disputes 1	814	91	723	655	515		102	24	•	3	159
1	7	Employees	194,515	10,535	183,980	181,693	154,059		25,669	266		210	12,822
	Total	Disputes	1,109	121	886	904	269		159	28	,	0	205
	pe eg e	Employees	29,308	10,113	19,195	26,129	18,796	,	6,860	140	9	408	3,089
88,	Work Stoppage Involved	Disputes	244	85	159	215	128		74	e vo	ı	7	29
1987/88	/ork oage ived	Employees	100,578	2,709	694,869	89,070	79,785		8,634	280	;	241	11,508
	No Work Stoppage Involved	Disputes	848	120	728	741	598		129	9 0		9	107
ctivity (p)	Te .	Employees	129,886	12,822	117,064	115,289	98,581		15,494	420		649	14,597
ediation A	Total	Disputes Employees	1,092	15 205	ng 887	уу 956	1g 726		203	11	ediator, Action	13	136
Remedial Mediation Activity (p)		Q	Assignments Received by Officers	Carried Over From Previous Years	Assigned to Officers During Year	Assignments Disposed of by Officers	Settled During Mediation	Settled Following Mediation	Assistance	Lapsed	Closed by Mediator, No Further Action	by Parties	Assignments Pending at March 31

## Office of Arbitration

Jean M. Read Director

The Office of Arbitration assists the minister in carrying out his statutory responsibilities for constituting boards of arbitration and appointing single arbitrators under the Labour Relations Act and the Hospital Labour Disputes Arbitration Act. The office is responsible for the receipt and processing of requests from employers and trade unions for the appointment of arbitrators and nominees to boards of arbitration. This includes identifying individuals qualified to act under ministerial appointment, providing administrative services to arbitrators. monitoring the progress of arbitration proceedings and cataloguing arbitration awards for public availability. In association with the Minister of Labour's Labour-Management Advisory Committee, which advises the minister on matters pertaining to arbitration, the office maintains a roster of arbitrators and is actively involved in the training of prospective arbitrators. Through its staff of grievance mediators, the Office of Arbitration also provides labour and management with grievance mediation assistance.

The Office of Arbitration also has responsibility for co-ordinating appeals under the *Employment Standards Act* and, until September 29, 1987, boards of inquiry pursuant to the *Human Rights Code*.

The Office of Arbitration's activities in 1987/88 included:

The appointment by the minister, under section 40(a) of the *Labour Relations Act* and at the request of trade unions attempting to establish new collective agreements, of two nominees to represent employers on boards of

arbitration and one arbitrator to chair a board

The involvement of the minister in the appointment, under section 44 of the *Labour Relations Act*, of 392 arbitrators for parties experiencing difficulty establishing a board of arbitration under the terms of a collective agreement

Supplying, on 410 occasions, lists of five arbitrators at the request of parties to assist them to reach mutual agreement in the appointment of an arbitrator under section 44 of the *Labour Relations Act* 

The appointment by the minister, under section 44 of the *Labour Relations Act*, of four nominees to represent the other side on a board of arbitration

Providing, in 986 cases, the services of grievance mediators under section 44 of the *Labour Relations Act* to parties proceeding to arbitration under the Collective Agreement. Of this number, 799 were resolved. The settlement rate in this area was 81 per cent.

Receiving 3,138 requests for the appointment of single arbitrators under section 45 of the *Labour Relations Act*, of which, 1,717 appointments were made by the minister

Resolving 1,216 of 1,714 disputes under section 45 of the *Labour Relations Act* prior to hearing, for a settlement rate of 71 per cent

The involvement of the minister in the appointment, under the *Hospital Labour Disputes Arbitration Act*, of 110 arbitrators for parties in the health care field experiencing difficulties in establishing boards of arbitration to make or renew a collective agreement

Supplying, on 128 occasions, lists of five arbitrators at the request of parties to assist them to reach mutual agreement in the appointment of an arbitrator under the *Hospital Labour Disputes Arbitration Act* 

The appointment by the minister under the *Hospital Labour Disputes Arbitration Act*, at the request of parties to a dispute, of two nominees to represent the other side on a board of arbitration

The appointment, under the *Employment Standards Act*, of 100 referees through the Office of Arbitration to hear appeals against Orders to Pay issued by the Employment Standards Branch

The involvement of the minister in the appointment, under the *Human Rights Code*, of 59 boards of inquiry at the request of the Ontario Human Rights Commission

Receiving and cataloguing 2,077 awards during fiscal 1987/88. Awards in the amount of 21,914 pages were purchased by the public.

Ten people were invited to attend the sixth Arbitrator Development Program,

which commenced in April 1987. The program comprised two workshops and an eight-month internship period. Following completion of the program, six people were added to the minister's list of approved arbitrators.

The caseload of the Office of Arbitration is more particularly described in the two tables below.

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				1987/88	88					1986/87				
	Employ. Stds. Appeals	Human Rights Bds. of Inquiry	Hospital Labour Disputes Arb. Act	Labour Relations Act S.40(a) S.44 S.45*	Relation S.44	s Act S.45*	Total	Employ. Stds. Appeals	Human Rights Bds. of Inquiry	Hospital Labour Disputes Arb. Act	Labour Relations Act S40(a) S.44 S.45*	Relation S.44	ns Act S.45*	Total
Applications/Requests:									:					
Previous Year Received During	78	39	224	0	494	901	1,736	116	62	225	0	427	661	1,491
Current Year	123	64	253	4	582	3,138	4,164	146	54	278	1	789	3,044	4,312
Closed	118	69	276	3		3,425	4,631	184	77	279	₩	722	2,804	4,067
Outstanding at														
Year End	83	34	201	1	336	614	1,269	78	39	224	0	464	901	1,736
Breakdown of Activities: Arbitrators/Referees														
Appointed or Arranged	100	59	110		392	1,717	2,379	133	59	104	0	381	1,704	2,381
Nominees Appointed	×	×	7	7	4	×	<b>∞</b>	×	×	3	1	14	×	18
Panels Provided	×	×	128	×	410	×	538	×	×	115	×	462	×	577
Applications/Requests Awards Filed	96	63	117	0	1,136	999	2,077	154	37	141	0	1,141	099	2,133
Total Awards Purchased (# of Pages)	×	×	×	×	×	×	21,914	×	×	×	×	×	×	40,195

\* Expedited grievance arbitration.

LEGEND: 0 = NO ACTIVITY X = NOT APPLICABLE

D./I	odi	atio	m A	CTI	3731	201

	19	987/88			1986/87	
		Relations A s disputes)	ct		Relations	
	S.44	S.45*	Total	S.44	S.45*	Total
Mediation Assignments:						
• carried over from						
previous year	165	14	179	157	49	206
• made during current year	967	1,801	2,768	938	1,699	2,637
• assignments completed	986	1,714	2,700	930	1,734	2,664
• outstanding at year end	146	101	247	165	14	179
<ul><li>mediation settlements</li><li>percentage of settlements/</li></ul>	799	1,216	2,015	739	1,191	1,930
assignments completed	81%	71%	75%	79%	69%	73%

<sup>\*</sup> Expedited grievance arbitration

# Occupational Health and Safety Division

T.J. (Tim) Millard, B.Sc., M.Sc.\* Assistant Deputy Minister

Arthur Gladstone, B.A., M.A., M.Sc.\*\* Executive Director, Operations

The Occupational Health and Safety Division seeks to improve worker health and safety in Ontario workplaces by:

Identifying and reducing occupational risks

Providing an information, policy and legislative base that will facilitate and necessitate mutual and co-operative efforts of the workplace parties to reduce occupational health and safety risks

Advising, educating or training (as appropriate) all parties with respect to rights, duties and responsibilities under the legislation.

#### 1987/88 Activities

The division administers the Occupational Health and Safety Act and regulations made under the Act for: construction projects; mines and mining plants; industrial establishments; teachers and university academics; X-ray safety; offshore oil and gas drilling; firefighters' protective equipment; the inventory of chemical or biological agents for the purpose of identifying new agents being manufactured, imported or distributed; and 12 regulations for the control of

exposure to toxic substances that have been designated under section 41 of the Act.

The division has been anticipating right-to-know legislation, scheduled to come into effect on October 31, 1988. Bill 79, amending the *Occupational Health and Safety Act*, will ensure that workers and the community are aware of the hazardous substances in their workplaces. As well, the federal government is expected to pass amendments to the *Hazardous Products Act* and the *Hazardous Materials Information Review Act*.

The ministry established three tripartite committees to review the Workplace Hazardous Materials Information System regulations, to develop an inventory and to develop hazardous physical agents regulations. A joint steering committee for the regulation of hazardous substances was established, comprising an equal number of representatives from labour and management. This committee is chaired by the assistant deputy minister.

During 1987/88 the Occupational Health and Safety Division underwent significant changes in its organizational structure. The Policy and Regulations Branch and the Prevention and Promotion Unit were created. The Designated Substances Enforcement Unit, the Special Studies and Services Branch, and the Standards and Programs Branch were disbanded and their staffs re-assigned. The Occupational Health Branch was restructured and renamed the Health and Safety Support Services Branch. The Occupational Health and Safety Advisory Service was

<sup>\*</sup> T.J. (Tim) Millard was appointed assistant deputy minister on July 27, 1987.

<sup>\*\*</sup>Arthur Gladstone was appointed executive director, operations, on November 2, 1987.

transferred to this division from the Industrial Relations Division.

The division upgraded its capability to machine-process information with the installation of computers in a number of offices.

The following initiatives relating to division operations were completed: a draft regulation to cover workers engaged in the onshore drilling of oil and gas wells; a revised prosecution procedure; a revised orders policy and orders procedure; a notification prior to inspection policy and procedure; a crossing picket lines policy and procedure; an inspector access to workplace policy and procedure; a coroner's inquests and jury recommendation policy and procedure; a spills policy and procedure; and a variance approvals policy, procedure and form for the Regulation respecting Asbestos in Buildings, on Construction Projects and in Repair Operations.

The division also participated in a federal/provincial committee struck to develop recommendations to improve worker health and safety in the fishing industry.

The division published four editions of *Onsite*, its internal newsletter.

# Areas Reporting to the Assistant Deputy Minister

Under the new structure of the Occupational Health and Safety Division, two services and one unit now report to the assistant deputy minister. These are the Information and Administrative Services Section, the Program Analysis and Evaluation Services Section, and the Prevention and Promotion Unit.

The newly created Prevention and Promotion Unit itself is comprised of the Occupational Health and Safety Advisory Service Section, the Division Training Unit and the Advisory Service on Occupational Health and Safety Section.

The Occupational Health and Safety Advisory Service Section was formerly in the Industrial Relations Division; the Division Training Unit previously reported to the assistant deputy minister; and the Advisory Service on Occupational Health and Safety Section was in the division's former Standards and Programs Branch.

# Information and Administrative Services Section

This section provides the division with centralized services that include: co-ordination of systems development, support of existing line branch computer systems, word-processing/desk-top publishing, editing and publications control.

In 1987/88, this section:

Co-ordinated the Division Management Information System Study

Continued to provide support to the line branches by: maintaining the editing, coding and processing functions of Inspection Reports, Notice of Projects and Employer's Report of Accidental Injury or Industrial Disease; maintaining the Industrial, Construction and Mining Health and Safety Branches' filing systems; and providing information to the inspectorate for follow-up on inspections and investigations

Continued to provide technical and administrative support to various units within the Occupational Health and Safety Division, the ministry and external forces through the operation of a word-processing/desk-top publishing centre

Continued to edit, prepare, co-ordinate for publication and distribute all occupational health and safety materials for the division and external task forces, including acts, regulations, guides, background documents and survey reports

Continued to maintain an Information Issues System by recording and distributing contentious issues relating to occupational hazards

Continued to maintain an inventory control system of division publications and forms used by the inspectorate, division staff and the general public.

# Program Analysis and Evaluation Services Section

In 1987/88, this section:

Co-ordinated the development and preparation of the 1988/89 estimates planning submission for the Occupational Health and Safety Division

Continued to assist in and co-ordinate the development and preparation of improved Managing By Results (MBR) objectives, indicators and measures for all program areas in the division

Participated in the ministry's development of Operational Work Plans and co-ordinated the division's Operational Work Plans

Assisted in the redeployment of human and financial resources as a result of the division's reorganization

Co-ordinated the preparation of accommodation requirements for the head office and field

Participated in the Industrial Health and Safety Branch Task Force on Employers' Reports of Accidental Injury or Industrial Disease, and in preparing revisions to that branch's Business System

Provided statistical/planning assistance on special projects, such as the development of improved prosecution statistics compilation and the reconciliation of firms on WCB and IHSB computer systems

Provided assistance to division branches for ongoing fiscal planning, budgeting review, purchase/use of computer equipment and workload issues.

#### Prevention and Promotion Unit

This newly created unit is comprised of three areas: the Occupational Health and Safety Advisory Service Section, the Division Training Unit and the Advisory Service on Occupational Health and Safety Section.

Occupational Health and Safety Advisory Service Section

The Occupational Health and Safety Advisory Service Section assists the minister in the matter of disputes concerning joint health and safety committees under section 8(14) of the Occupational Health and Safety Act.

The service also receives requests for assistance from the workplace parties and the inspectorate branches of the Occupational Health and Safety Division.

In the role of a neutral third party, the adviser assists to resolve labour relations and health and safety disputes and to form or establish joint health and safety committees and health and safety programs. Terms of reference for the structure and functioning of committees

are jointly developed and agreed upon. Participants in the program usually attend seminars designed to build teamwork, self-reliance and harmonious relationships within the group. Joint training with regard to the *Occupational Health and Safety Act* is also provided.

Caseload	1987/88	1986/87
Cases Handled by		
Advisers	143	82
C . 1 . 0		
Carried Over from		
Previous Year	27	11
Cases Received and		
Completed	49	44
Cases Active at Year End	67	27

### Division Training Unit

The Division Training Unit is responsible for planning, developing and delivering division-wide training programs and co-ordinating the development of branch training programs.

In 1987/88, the unit:

Trained 109 field staff in the Occupational Health Fundamentals course and 176 field staff in the Designated Substances Regulations program

Developed and delivered to 98 new field staff training programs on division orientation, the *Occupational Health and Safety Act* and division policies and procedures

Presented training courses and briefing sessions on health-related subjects, regulations dealing with hazardous substances, and other topics Made presentations on the *Occupational Health and Safety Act* to other provincial ministries

Produced four video communication programs dealing with issues concerning the Occupational Health and Safety Division and eight videotapes for training purposes.

Advisory Service on Occupational Health and Safety Section

Continued to provide secretariat, policy and administrative support to the allocation of transfer payment funds, including grants for human resource training and development, applied research projects and student bursaries

Continued to participate actively in the Small Firms Committee looking into the occupational health and safety needs of small business

Continued to participate in the Tri-Ministerial Advisory Committee on Occupational Health and Safety. The committee functions as an advisory body to the Ontario Council of Regents

Participated on the Ministry Curriculum Committee that developed the outlines of core and specialty training programs for delivery to the division line branch inspectorate

Participated as a working member of the Mining Education Review Committee (Ross Committee) and provided recommendations to the premier and acting minister of Northern Development and Mines on the future education and training needs of Ontario's metal and industrial mining and milling industry

Participated as a member of the implementation task team on organizational renewal for the Occupational Health and Safety Division

Participated as co-chairman of the ministry's head office joint health and safety committee

Participated on the steering committee for the LAMP Community Health Centre's occupational health and safety project conducted in conjunction with the Ministry of Health

Participated on the interministerial committee investigating matters relating to illiteracy and English as a second language

Participated on the steering committee for the Canada Safety Council annual conference

Provided liaison and consultation with Ontario ministries on education/training and matters pertaining to the *Occupational Health and Safety Act* 

Provided responses to inquiries from other jurisdictions on training, education and legislation

Delivered public presentations on the Occupational Health and Safety Act

Continued to offer seminars and in-class presentations to students

Co-ordinated and staffed information displays and booths at conventions, conferences and public exhibitions Maintained close liaison with the provincial resource centres and other organizations involved in training, education and services in occupational health and safety

Served on advisory committees at several community colleges and universities

Provided consultation to, and co-ordinated funding for, Cambrian College's Centre for Ground Control

Continued to maintain liaison with the Occupational Health and Safety Education Authority and working relationships with safety associations

Continued to provide support for external consultants regarding the delivery of information to minority language workers with respect to the *Occupational Health* and *Safety Act* and regulations

Provided advisory assistance to the ministry's Future Building '88 Program aimed at educating high school students throughout the province on matters of health and safety with regard to the construction industry

Developed the Small Contractors Awareness Program to help reduce the incidence of occupational injury and illness among workers involved in construction projects.

# Policy and Regulations Branch

Director: Vacant at March 31, 1988

The newly created Policy and Regulations Branch, which reports to the assistant deputy minister, is comprised of four areas: the Health Studies Service Section, the Strategic Policy Unit, the Program Development Unit, and the Safety Regulations Unit.

The Health Studies Service Section was previously part of the former Special Studies and Services Branch. The Strategic Policy Unit and the Program Development Unit previously reported to the assistant deputy minister. The Safety Regulations Unit carries out work previously performed by the Industry Sector Programming Unit.

The Policy and Regulations Branch was created as a result of the recommendations of the McKenzie/Laskin Report. Areas within the newly formed branch continue to take shape.

#### Health Studies Service

The Health Studies Service supports the programs of the Occupational Health and Safety Division and the provincial Ministry of the Environment. Upon request, support has also been provided to other ministries and agencies, e.g. Solicitor General, Housing, and Health; the Workers' Compensation Board; and, co-operatively, to the Atomic Energy Control Board and various federal/provincial committees.

Support is supplied by the provision of advice on, and research into, conditions that could result in occupational and environmental health hazards.

In 1987/88, the service:

Provided technical advice for the development of divisional regulatory strategies related to designated substances

Prepared eight health effects documents, on:

- PCBs
- Nickel
- Update of Lead Document
- Epoxy Resins
- Benzidine Congener Dyes
- Welding Fumes
- Beryllium
- Update of Asbestos Document

Prepared health-based exposure limits for substances proposed for designation, and recommended clinical tests to be used in the medical surveillance programs

Undertook multi-disciplinary research and studies of factors that contributed to occupational diseases:

- The study of the mortality of Ontario miners was continued with the release of a report on the occupational factors influencing the lung cancer risk in uranium miners
- A study of a cluster of cancer cases in a biological research station was completed
- A study of reproductive outcomes among employees in a reinforced plastics plant was conducted
- A study of the excretion of arsenic by miners in a gold mine was completed

- A study of the possible role of a solvent in the development of neurological disease in a small manufacturing plant was completed
- Reports on studies of lung cancer among employees in two asbestos pipe-manufacturing plants were completed

Wrote an initial AIDS policy for the Ministry of Labour and acted as consultants in the development and completion of the policy

Prepared recommendations for ambient standards and guidelines for 37 chemicals for the Air Resources Branch of the Ministry of the Environment

Sat on an interministerial committee on the possible health hazards to workers handling animals in research institutions. A report was issued

Sat representing the Ministry of Labour on the Interministerial Committee on AIDS

Sat on a committee preparing a document on the risk of AIDS and other blood-borne infections in facilities for the developmentally handicapped.

## Strategic Policy Unit

The Strategic Policy Unit identifies and develops strategic policies and priorities for the division and the development of division-wide policies. The unit is also responsible for performing statistical analyses on data bases relating to workplace injury and illness and, until November 1987, for maintaining liaison with other occupational health and safety agencies.

In 1987/88 the unit:

Participated in the development and passage of Bill 79, an Act to Amend the Occupational Health and Safety Act, to enable Ontario to implement the

Workplace Hazardous Materials Information System (WHMIS), also referred to as 'right-to-know'

Continued participation in the pan-Canadian committee to develop the federal legislation being amended: the *Hazardous Products Act* (Bill C-70), the Controlled Products Regulations and the Hazardous Materials Information Review Regulations pursuant to the *Hazardous Materials Information Review Act* (part of Bill C-70)

Participated in the development of a pan-Canadian basis of WHMIS Model OSH regulation, and in the development of Ontario WHMIS regulation based on Model OSH regulation

Developed a policy document for WHMIS Model OSH regulation

Participated in the ministry's WHMIS Implementation Task Force

Spoke to client groups and responded to enquiries from the public to increase awareness of WHMIS

Liaised with medical officers of health and fire departments on involvement with community right-to-know

Reviewed the Report to the Occupational Health and Safety Education Authority by ARA Consultants

Reviewed the proposed federal *Environment Contaminants Act* (Bill C-74) and relationship to notification of new chemicals under Ontario legislation

Provided assistance to the Agricultural Health and Safety Implementation Committee

Participated in the development of proposed amendments to the Occupational Health and Safety Act Continued participation in a provincial interministry committee to develop options for a government policy on biotechnology

Prepared background materials for meetings of officials responsible for occupational health and safety

Reviewed Regulation respecting Control of Exposure to Biological or Chemical Agents (O.Reg. 654/86) and participated in development of proposed amendments for review by senior officials

Drafted a guidebook for client groups to Regulation respecting Control of Exposure to Biological or Chemical Agents (O.Reg. 654/86)

Prepared the Ontario government's response to the ILO's text on 'Safety and Health in Construction' and responded to health and safety questions in an ILO questionnaire on the metal trade industry

Prepared and developed policy on radon in homes, for consideration by senior officials

Participated in an interministry committee on indoor air quality

Prepared terms of reference for study on the Occupational Health and Safety Impact of Present and Short Terms Changes in the Economic Sector

Developed an options paper on mandatory back-up alarms on commercial vehicles

Reviewed the Standards Council of Canada's document: Incorporation of Standards by Reference in Regulations — Guidelines for Regulatory Authorities; and Manitoba's Occupational Health Services Final Report

Reviewed policies and standards from other jurisdictions, including other Canadian jurisdictions, the United States, the United Kingdom and Sweden

Organized programs for visitors to Ontario from other jurisdictions

Continued research and analysis of work-related injury statistics, extending the work Injury Information System

Prepared options papers on wood dust and on the division's involvement with the WCB's First-Aid Regulation

Updated the paper, 'Provision of Occupational Health Services in Ontario'.

## Program Development Unit

The Program Development Unit consists of an economic analysis group and two teams of occupational health hazards analysts working under project managers.

The principal responsibilities of the health hazards analysts are to provide background information for, and to co-ordinate the development of, regulations for hazardous substances (including designated substance regulations). The analysts also develop guidebooks and data sheets to assist the inspectorate and the public in the implementation of the regulations.

In 1987/88, the unit:

Published proposed amendments to the Asbestos Regulation

Began work on the development of proposed amendments to the X-Ray Safety Regulation and the Regulation of Asbestos on Construction Projects and in Buildings and Repair Operations

Began work on the development of a proposed regulation for coal tar products

Continued work on the proposed regulations for chromium, cadmium, formaldehyde, noise, polychlorinated biphenyls (PCBs), styrene, welding and cutting fumes and gases; on the proposed amendments to the Asbestos Regulation; on the proposed regulation for silica on construction projects and in aggregate production; and on the following proposed regulations for the construction industry: coal tar products, chromium, isocyanates and lead

Completed a comprehensive review of the provisions of the designated substance regulations

Held discussions with the Advisory Council on Occupational Health and Occupational Safety on the proposed amendment to the Mercury Regulation and the proposed regulation for silica on construction projects and in aggregate production

Worked on the development of a proposed control strategy for beryllium, chlorophenols and nickel

Continued to develop background information on epoxy resins and noise in the trucking industry, and commenced such work for brazing and soldering

In association with representatives from the dental professions, completed a review of mercury exposure in dental offices and commenced an evaluation of nitrous oxide exposure in dental offices

In association with the Construction Safety Association of Ontario, collected background information on the control of exposure to noise in the construction industry, completed a contractor's project to assess occupational exposure to welding fumes in the construction industry and began the development of a proposed regulation for wood preservatives in the construction industry

Began work on the development of educational material on exposure to wood dust and to asbestos

Completed a consultant's study to provide background information on worker exposure to beryllium.

Commenced and completed a consultant's project on an assessment of occupational exposure to chlorophenols

Completed training of inspectorate for the implementation of the Ethylene Oxide Regulation and began work on assisting in the training of new inspectorate on the regulations for Asbestos, Asbestos on Construction Projects and in Buildings and Repair Operations, Lead, Silica, Mercury and Isocyanates

Distributed explanatory guides for the designated substance regulations for Acrylonitrile, Isocyanates and Asbestos on Construction Projects and in Buildings and Repair Operations

Continued the production and update of data sheets and explanatory guidelines for designated substances

Provided administrative and technical support to the newly established bipartite Joint Steering Committee on Hazardous Substances in the Workplace

Economic Analysis Section

The Economic Analysis Section participates in the regulation-making process by providing information on compliance costs and benefits, and assessments of the potential economic impact of proposed regulations on affected industrial sectors

In 1987/88, the section:

Completed an economic impact assessment of the proposed regulation respecting workplace noise

Prepared a preliminary report on the potential economic impact of the proposed regulation respecting welding and cutting fumes and gases

Prepared a draft project proposal for a consultant's study that would determine the technological feasibility and costs of compliance with measures that might be proposed to control worker exposure to coal tar products, and would assess the potential economic implications and consequences for affected industry sectors

Continued to develop background information and consultations with interested parties on the financial implications for small businesses in complying with designated substance regulations

Participated in the program of studies being conducted by the Ministry of the Environment to determine the economic implications of the MISA program (water quality control) and revisions to Regulation 308 (air pollution control)

Produced quarterly statistical analyses of labour market conditions and work injury statistics.

Designated Substances Enforcement Unit\*

The role of the Designated Substances Enforcement Unit (DSEU) is to improve the administration and enforcement of the designated substance regulations (DSRs).

In 1987, the unit:

Provided guidance and advice, on request, to the inspectorate, to

management and to workers regarding the provisions of the DSRs

Carried out telephone consultations with the inspectorate and workplace parties regarding the provisions of the DSRs

Reviewed company files regarding compliance with the DSRs

Assisted in mediation of disputes regarding the provisions of the DSRs

Assisted the Mining Health and Safety Branch prepare for submission to the Legal Services Branch a prosecution under the Regulations for Mines and Mining Plants

Carried out in-depth investigations of alleged contraventions of the Regulation respecting Asbestos on Construction Projects and in Buildings and Repair Operations (654/85) at the request of the Construction Health and Safety Branch

Delivered training lectures and on-the-job training to Construction Health and Safety Branch inspectors, regarding the use of respirators and the provisions of the Regulation respecting Asbestos on Construction Projects

Helped the Construction Health and Safety Branch to develop an approval procedure for Variances to the Asbestos Construction Regulation and to review applications made under this regulation

Made recommendations for changes to the DSRs to improve their administration and enforcement

Gave lectures and speeches to students, the inspectorate and client groups regarding the Act and the DSRs

Monitored compliance with designated substance regulations and the number of outstanding orders under those

<sup>\*</sup> On September 1, 1987, the services provided by the Designated Substances Enforcement Unit were transferred to the inspectorate of the line branches.

regulations in industrial and mining workplaces

Selected for special investigation workplaces appearing to be in non-compliance with the DSRs

Reviewed all notices of projects for asbestos removal jobs.

Engineering Controls Section

In 1987/88, the section:

Continued to conduct engineering field surveys to assess the ability of industry to control exposures to hazardous substances by means of engineering controls

Conducted a project on nitrosamines in metal-working operations

Completed a field survey of Ontario hospitals, cancer clinics and university research laboratories and a draft guidelines document for the handling of antineoplastics in biological safety cabinets

Prepared an Information Note on biotechnology application in industry for use by ministry inspectorate.

## Safety Regulations Unit

In 1987/88, the unit:

Distributed for public comment a proposed regulation for health care facilities, and compiled a compendium of the comments received. The proposed regulation was developed by the Health Care Occupational Health and Safety Regulation Development Committee, which was established by the minister for this purpose; it comprises labour and management representatives from the health care sector

Analysed briefs received on the proposed regulation respecting window

cleaning and the proposed regulation for roll-over protective structures, and developed explanatory guides for both regulations

Participated in the review of amendments to the regulation for Construction Projects

Published proposed revisions to regulations addressing electrical hazards, and held meetings with management and labour representatives to discuss these revisions

Finalized development of a breathing apparatus regulation for fire fighters

Consulted with and provided technical support to the fire fighters' committee, and developed an information bulletin on metabolic heat for use by fire fighters

Participated in the development of plans to implement recommendations of the Ontario Task Force on Health and Safety in Agriculture

Participated in the development of standards for women's protective footwear

Assisted the line branches by analysing workplace injuries by sector to improve targetting of inspectorate activities

Provided technical consultations and made presentations on personal protective equipment to assist division staff and the public

Continued to update the operations manuals for the Industrial, Construction and Mining Health and Safety branches.

## Health and Safety Support Services Branch

Peter L. Pelmear, MD, FFOM, CCBOM Director

The objective of the Health and Safety Support Services Branch is to identify and reduce the risk of worker injury in the Ontario workplace through the contribution of expert knowledge on the recognition, evaluation and control of occupational health hazards.

The branch's journal, *Occupational Health in Ontario*, is published under the direction of an editorial board.

#### 1987/88 Activities

#### Resource Service

The Resource Service is comprised of the four specific units:

Technical Support, Toxicology, Statistics and Analysis, and Training and Staff Development. The service, through its four units:

Provides medical, scientific and technical guidance on occupational health and safety matters

Provides toxicological advice on chemical and biological agents

Processes the branch field investigation reports for data computerization, oversees processing of branch program delivery data and turnaround statistics, manages health and safety data base systems and provides statistical analyses and interpretation of health effects, exposure and engineering data

Co-ordinates human resource development and training programs for branch staff.

In addition, the Resource Service:

Identifies significant areas that require attention for field investigation, monitoring or research

Co-ordinates field research studies and promotes collaborative research with other agencies or organizations

Prepares and distributes to branch staff health and safety resource materials such as guidance notes and question/answer circulars

Provides advice and input concerning the development and formulation of regulatory strategies and policies for the identification, evaluation and control of chemical, physical and biological agents

Evaluates the notifications of new chemicals introduced in Ontario workplaces as required by section 21 of the Act (248 notifications in 1987/88).

#### Sources of Resource Service Visit Requests

Total	24
Construction Health and Safety Branch	19
Health and Safety Support Services 1	
Industrial Health and Safety Branch	1
Carry-over from 1986/87	3

# Occupational Health Medical Service

#### Medical Consultants

The medical consultants work with the industrial, construction and mining inspectors, as well as with other members of the branch, to investigate situations where health hazards may exist, to evaluate occupational health services and to advise on the establishment of medical

surveillance programs. The physicians also act as consultants to the Workers' Compensation Board, hospitals and family physicians. During 1987/88, 776 field visits and 331 joint visits were carried out, and comments on 344 air quality reports were made.

# Sources of Physicians Visit Requests

Total	1 160
Other	49
Workers' Compensation Board	353
Mining Health and Safety Branch	3
Construction Health and Safety Branch	4
Health and Safety Support Services Branch	245
Industrial Health and Safety Branch	275
Carry-over from 1986/87	240

## Nursing Consultants

The nursing consultants visit industries and institutions to audit designated substances medical surveillance programs, to promote occupational health programs where none exist, and to encourage the expansion and upgrading of existing programs.

During 1987/88, 896 field visits were made to audit and promote occupational health services or programs.

## Sources of Nursing Consultant Visit Requests

Total	1.071
Other	35
Mining Health and Safety Branch	1
Health and Safety Support Services Branch	866
Industrial Health and Safety Branch	53
Carry-over from 1986/87	116

## Medical Service Chest Clinics

The Medical Service Chest Clinics continued to provide medical surveillance, educational training and specialized

laboratory testing for workers, students and compensation claimants throughout Ontario.

In 1987/88, the Chest Clinics:

Started a survey for morbidity among sheet-metal workers in Ontario, as part of a larger international project

Started and completed data collection for a study on asthma among surgical rubber glove workers in association with the Toronto General Hospital and the Gage Research Institute

Provided teaching staff and resources for the University of Toronto's School of Continuing Studies' biannual course, 'Pulmonary Function Testing in Industry'

Managed an on-going Canada-wide quality control project for chest X-ray readers, using the International Labour Office standards for classifying radiographs of pneumoconioses

Prepared the introduction of mobile occupational health surveillance units for two Northern Ontario regions, to provide service directly to mine sites

Provided laboratory services for the detailed testing of workers under investigation for hand/arm vibration syndrome

Provided updating of physicians within the Ministry of Labour on the revised American Thoracic Society standards for spirometry.

# Chest X-Ray Examinations

Chest X-ray examinations required for the surveillance of workers exposed to the designated substances, free silica and asbestos, and workers exposed to other hazards, such as beryllium, hard metal (tungsten carbide and cobalt), nepheline syenite and cadmium, were conducted at the request of examining physicians.

Exposure Group	Number of Workers
Silica Mines	9,306
Silica Foundry	4,150
Silica Others	4,782
Asbestos	2,028
Asbestos and Silica (Combined)	1,987
Others	3,881
Total Workers Examined	26,134

## **Pulmonary Function Tests**

Exposure N	lumber of	Abnormalities		
Group	Workers	Number of Tests	% of Total	
Silica Mines	9,053	294	3.2	
Silica Foundry	4,134	210	5.1	
Silica Others	4,701	160	3.4	
Asbestos	2,014	108	5.4	
Asbestos/Silica	1,951	93	4.8	
Others	2,289	131	5.7	
Total	24,142	998	4.1	

### Silicosis

Exposure	Previously Reported	Newly Diagnosed	Total
Silicosis Complicated	84	12*	96
Silicosis	3	0	3
Total	87	12	99

<sup>\*</sup> Includes 5 from mines

#### Asbestosis

Radiological evidence of asbestosis was reported in 12 of the 3,965 asbestos exposed workers. Of these, 2 were newly diagnosed.

Exposure	Previously Reported	Newly Diagnosed	Total
Asbestos	9	1	10
Asbestos/Silica	1	1	2
Total	10	2	12

#### Chest Clinics Activities

Clinic Nu Location	ımber of Workers	Number of Chest X-rays	Number of Pulmonary Function Tests
Elliot Lake	2,115	2,115	2,103
Kirkland Lake	911	911	910
Sudbury	4,742	4,742	3,673
Timmins	2,572	2,572	2,567
Thunder Bay*	950	950	723
Toronto	14,844	14,844	14,166
Total	26,134	26,134	24,142

<sup>\*</sup> Includes films and tracings forwarded to clinic from outside sources for file preparation and transfer.

#### Summary

Activities	
Number of X-rays	26,134
Number of pulmonary function tests	24,142

# Results and FindingsNew cases of silicosis12New cases of asbestosis2New cases of dust effects35New cases of other pneumoconioses1Neoplasms10TB10Sarcoidosis38

Note: Examinations on claimants for evaluation by the Workers' Compensation Board totalled 614.

## Occupational Health Hygiene Service

The primary activity of this service is to recognize, evaluate and ensure control of occupational health hazards. The service is responsible for evaluating and advising on the industrial hygiene, engineering and ergonomic aspects of occupational health problems. Within this service, field investigations are carried out by occupational hygiene or ergonomics consultants.

During 1987/88, 1,806 hygiene field visits, 73 ergonomic field visits and 331 joint visits were carried out; 11 pre-development reviews were prepared; and comments on 804 air quality reports were provided.

Sources	10	Hygienist	Visit	Requests	
					Ī

Carry-over from 1986/87	641
Industrial Health and Safety Branch	1,459
Health and Safety Support Services Branch	466
Construction Health and Safety Branch	21
Mining Health and Safety Branch	5
Workers' Compensation Board	42
Other	49
Total	2,683

#### Sources of Ergonomic Visit Requests Carry-over from 1986/87 Industrial Health and Safety Branch Health and Safety Support Services Branch Construction Health and Safety Branch Other 9 Total 122 Sources of Joint Medical/Hygiene Visit Requests 74 Carry-over from 1986/87 Industrial Health and Safety Branch 206 Health and Safety Support Services Branch Construction Health and Safety Branch Mining Health and Safety Branch 1 Workers' Compensation Board Other 17 Total 419

#### Summary of Field Visits

	Carry-over 1986/87	New Requests	Cancel	Outstanding
Physicians	240	929	157	236
Nurses	116	955	76	99
Hygienists	641	2,042	385	492
Occupational Health Technicians	250	1,340	72	334
Resource Service	4	21	2	2
Joint	74	345	49	39
Ergonomists	1	121	7	42
Pre-Development Review	20	-	-	9
Total	1,346	5,753	748	1,253

#### Occupational Health Laboratory Service

This service provides analytical and air-sampling services for the ministry, clinical analyses for physicians and method development for future needs.

In 1987/88, the service:

Prepared the laboratory for the acquisition and use of computer terminals

Expanded the project on assessment of exposure to biological agents and completed the project on exposure to vibration

Developed several analytical methods for hazardous substances

Engaged in the quality assurance programs offered by:

- the Centres for Disease Control, Atlanta (monthly) — blood lead
- the Quebec Centre for Toxicology, Laval University (every two months) — blood lead and cadmium; urine cadmium, chromium, fluoride, mercury and arsenic

- the NIOSH Proficiency Analytical Testing Program (PAT) (quarterly) — lead, cadmium and zinc on filters; assorted solvents on charcoal
- the Industrial Toxicology
   Laboratory, West Allis Memorial
   Hospital, Wisconsin (every six
   months) blood lead
- the College of American
   Pathologists (CAP) (quarterly) —
   blood lead

Carry-over from 1986/87	250
Industrial Health and Safety Branch	4
Health and Safety Support Services	
Branch	1,336

# Summary of Environmental Assessments

Source	Carry-over 1986/87	New Requests	Cancel	Outstanding
Occupational Health Technicians	250	1,340	72	334

# Number of Environment Assessments Completed = 1,184

Summary of Analyses	
Clinical Samples	40,430
Material Samples	3,611
Air Samples	39,730
Physical Agents	9,941
Total Number of Analyses	93,712
Samples sent to	
Private Laboratories	
for Proficiency Testing	634

Analyses	Physical Agents	Air Samples	Material Samples	Clinical Samples	Total
Acrylonitrile	0	163	6	0	169
Arsenic	0	0	13	0	13
Asbestos	362	0	673	0	1,035
Benzene	0	250	21	1,275	1,546
Coke Oven Emissions	0	160	0	0	160
Cristobalite	0	3	0	0	3
Isocyanates	0	1,423	65	0	1,488
Lead	0	1,781	113	25,846	27,740
Mercury	0	52	3	3,091	3,146
Silica (Quartz)	0	941	163	0	1,104
Vinyl Chloride	0	227	4	0	231
Other	9,579	34,730	2,550	10,218	57,077
Total	9,941	39,730	3,611	40,430	93,712

#### Radiation Protection Service

The Radiation Protection Service was expanded and reorganized during the year and now includes all the staff from the former Radiation Protection Laboratory.

The service, which is the primary source of expertise on all matters concerning exposure to radiation, evaluates and controls occupational exposure and provides assistance to other ministries and agencies on exposure of the public to radiation in the environment. The service also provides radioanalytical and technical support to other provincial agencies involved in radiation surveillance programs and health studies related to the exposure of the public to radioactive isotopes.

In 1987/88, the service:

Began revising the X-Ray Regulation (Ontario Regulation 632/86), effective October 30, 1986

Enforced the provisions of the X-Ray Regulation through employee registrations (85, up 27 per cent), X-ray plan reviews (98, up 17 per cent) and site inspections (322, up 15 per cent); in the same period the number of high personal dosimeter readings declined from 64 per cent to 45 per cent

Provided calibrations on X-ray measuring instruments

Provided training sessions on radiation inspection and dosimetry

Provided information and advice in response to 824 specific enquiries about non-ionizing radiation issues. Slightly over half the enquiries (435) related to video display terminals. The balance was roughly equally divided among optical, microwave, radiofrequency and low frequency enquiries

Tested a total of 48 microwave ovens (mainly in workplace lunch facilities) for microwave emissions

Inspected 76 locations using various forms of non-ionizing radiation-emitting devices — principally radiofrequency heat sealers and microwave emissions

Continued discussions with the Legal Services Branch concerning the completed draft regulation on naturally occurring radionuclides

Completed a contract for the measurement of radon daughters in new homes in Elliot Lake during the year; 397 buildings were monitored. A further 44 buildings were monitored for radon daughter concentrations in locations across the province

Continued development of new methods of measurement, evaluation of new instruments, equipment calibration and construction of special instruments

Provided advice, information and assistance to industry, labour, government agencies and the public on all aspects of radiation protection

Staff participated actively on various national and international working groups and committees, and throughout the year in the quality assurance programs of the International Atomic Energy Agency, the U.S. Environmental Protection Agency and Health and Welfare Canada.

# Summary of measurements by sample type

Type of Sample M	Number of easurements
Water	9,226
Air Filter	4,793
Air Filter Extracts	178
Urine	2,220
Swipes	653
Milk	425
Soil and Sediments	644
Precipitation	184
Tritium Cells	159
Radon Daughter Counting Equipmen	t 89
Air	25
Foodstuff	59
Radioiodine Cartridges	22
Blood, Hair, Tissue	161
Miscellaneous	126
Total	18,964

# Summary of radioanalytical measurements

Type of Measurement	Number of Measurements
Lead	204
Radium	1,848
Strontium	331
Thorium	124
Tritium	1,547
Uranium	2,496
Gross Alpha	2,388
Gross Beta	6,623
Gamma	2,935
Other Radionuclides	468
Total	18,964

# Construction Health and Safety Branch

W.S. Melinyshyn, P.Eng Director

To promote a healthful and safe occupational environment for Ontario's construction workers, based on the co-operative identification and control of safety hazards on construction projects, the Construction Health and Safety Branch provides assistance to employers, contractors, supervisors and workers through inspections, consultations, investigations and enforcement.

In 1987/88, the branch:

Made 39,790 inspections

Issued 32,022 orders

Reorganized its structure by creating a chief administrator, field operations position, with responsibility for all general field operations; and a chief engineer position, with responsibility for providing engineering support to the field and special services such as tunnelling and diving expertise

Prepared final draft amendments to the Regulations for Construction Projects

Assisted with the development of designated substance regulations in construction (e.g. lead, silica), and Regulations respecting Window Cleaning and Roll-Over Protection Systems (ROPS)

Completed the third year of the Employment Equity summer student initiative

Recruited eight construction safety officers in an underfill capacity, to implement government policy on employment equity

Developed training modules in its newly established training unit, used to train 41 inspector recruits

Implemented the second phase of its office automation, using personal computers.

#### Inspection and Fatality Data

	1987/88	1986/87
Workers in the		
Work Force	305,000◆	257,000◆◆
Projects/		
Establishments	22,269	21,399*
Accidents		
Investigated	1,377	1,416
Fatalities		
Investigated	39	41
Refusals to Work		
Investigated	1	3
Complaints		
Investigated	1,866	1,638
Inspections	39,790	49,014
Orders Issued	32,022	24,508
Stop-Work Orders		
Issued	1,507	1,040
Consultations	2,079	2,326 **
Case Prosecutions		
(Part III Citations)	299 * * *	177***
(Part I Citations)	77 * * *	188***
Convictions	269	334
Fines	417,105	299,170

#### Notes:

- ♦ Total Labour Force
- ♦♦ Employed Labour Force
- \* Includes Non-Notifiable Projects.
- \*\* Includes Engineering Consultations.
- \*\*\* Part I and Part III Citations Combined in Previous Reports.

# Industrial Health and Safety Branch

#### T. Casey Director

To reduce the risk of death and injury in the workplace, the Industrial Health and Safety Branch administers and enforces the *Occupational Health and Safety Act* and associated regulations in the more than 150,000 industrial establishments in Ontario, which cover some 3.5 million workers.

The branch conducts investigations into deaths, critical injuries, serious accidents, complaints and refusals to work, and it reviews engineering drawings of new industrial buildings and alterations to ensure compliance with the Act and regulations.

In 1987/88, the branch:

Recruited 40 occupational health and safety officers

Initiated an extensive training program designed to provide new officers with the full range of knowledge and skills required to administer their duties

Provided all officers with updated training on the designated substance regulations

Employed 21 summer students, including seven through the Employment Equity Program, to register new businesses and meet with management and worker representatives, providing information on the *Occupational Health and Safety Act* and introducing them to the services of the branch and its support groups

Greatly increased consultations with key interest groups — labour, management and safety associations

Participated on committees to review and develop regulations and amendments to the Act

Carried out ongoing consultation with the Ministry of Skills Development to develop a module training program for the forestry industry

Continued with the acquisition program to provide technology in all field locations and developed systems for tracking and monitoring common applications

Carried out ongoing consultation with the Office of the Fire Marshal, to develop jurisdictional procedures to be followed in cases of fire causing personal injury to workers in workplaces under the jurisdiction of the Industrial Health and Safety Branch.

#### Inspection and Fatality Data

	1987/88	1986/87
XX/outsons in the		
Workers in the	2 500 000	2 200 000
Work Force*	3,500,000	3,200,000
Projects/Establishments	150,000	150,000
Accidents Investigated	944	998
Fatalities	36	33
Refusals to Work		
Investigated	409	411
Complaints Investigated	1,467	1,560
Telephone Enquiries	85,903	78,170
Consultations	924	956
Appearances at Inquest		
or Trial	666	512
Other Investigations	3,040	2,930
Inspections	24,611	26,268
Orders Issued	28,494	36,889
Stop-Work Orders Issu		1,431
Pre-development Revie		2,
(Plans Review)	3,362	3,361
Case Prosecutions	176	114
		65
Convictions	110	
Fines	\$397,982	\$290,954
Revenue	\$1,708,340	\$1,467,824

<sup>\*</sup> Updated work force figures — Source: Statistics Canada Labour Force Report and Employment, Earnings and Hours Report (November 1987).

# Mining Health and Safety Branch

V. Pakalnis, P.Eng. Director

The objective of the Mining Health and Safety Branch is to reduce the risk of death and injury to workers in Ontario mines and mining plants. The branch encourages employers and workers in the mining industry to achieve this goal by co-operative identification and control of health and safety hazards in workplaces under its jurisdiction.

The branch administers the *Occupational Health and Safety Act*, R.S.O. 1980, C.321, Regulation 694 as amended by O.Reg. 258/87 and the Regulations for Mines and Mining Plants, the designated substances regulations, and Regulation 633/86 for oil, gas and related industries — offshore.

The branch's activities apply to 192 underground mines, 63 open-pit mines, 6,519 sand and gravel pits and quarries, 69 metallurgical and ore-processing plants and 49 clay, shale and peat workings.

The branch's 1987/88 activities included:

Carrying out 4,976 inspections and issuing 5,195 orders, of which, 132 were stop-work orders

Investigating all fatalities and publishing detailed reports of the investigations. During 1987/88, 19 fatalities were investigated

Investigating 17 work refusals. The branch staff also investigated other complaints concerning unsafe or unhealthy conditions

Researching, analysing and preparing background information for the Mining Legislative Review Committee covering the following areas: electricity, mine

shaft hoisting, bonus, diesel exhaust measurements, arsenic, radon in non-uranium mines, first aid for underground mines, guarding of diamond drill components, misholes, worker inspectors, and hours of work

Completing 1,029 tests of ropes for individual wire ductility and total rope strength at the Wire Rope Testing Laboratory

Conducting working environment surveys to determine worker exposures to dusts, gases and fumes

Conducting pre-development reviews of all new mining process technology; of the use of new methods of construction and equipment installation; of major alterations of mining techniques and technology; and of major additions and alterations for compliance with the Act and regulations

Providing mine rescue training. During 1987/88, 898 men participated in the mine rescue training program and 35 seven-man teams competed in eight district mine rescue competitions. Fifty supervisors underwent supervisory management training in mine rescue. Mine rescue officers conducted 612 days of training. This total does not include extra district and provincial competition training or emergency assistance. There were 91 underground mine fires, 15 of which required the services of mine rescue teams. Two non-fire emergencies required extensive use of mine rescue personnel

Participating in a tripartite fatalities committee involving senior representatives of industry, labour, the Mines Accident Prevention Association of Ontario and the branch. Initiatives to reduce mining fatalities were undertaken in the areas of fail-safe design, analysis of statistics, Internal Responsibility System, and attitudes and accidents relationship

Preparing a presentation and brief for the Standing Committee on Resources Development studying mining accidents

Improving emergency preparedness capabilities by researching special equipment requirements for fire and non-fire emergencies

Developing the Crisis Management Program (CRIMP) manual by the Tripartite Mine Rescue Advisory Committee in its work to improve mine rescue capability

Acting on the Report of the Provincial Inquiry into Ground Control and Emergency Preparedness in Ontario Mines, which was released in March 1986. The report contains 60 recommendations for improving ground control and emergency preparedness in underground mines, and the following actions have been taken:

- the Crisis Management Program manual has been developed and distributed to assist mines in emergency preparedness
- regulatory changes have been made respecting mine design, communications, mine lighting for inspecting ground conditions and underground vehicle operator falling object protective structures, and section 10 of the Regulations respecting Training
- two additional ground control engineers have been recruited
- funding for the second year of operation of the Ground Control Training Centre at Cambrian College was provided.

Organizing co-operative research programs. The Ministry of Labour, through the Mining Health and Safety Branch, has entered into a number of co-operative research programs with the federal Department of Energy, Mines and Resources (Canada Centre for Mineral and Energy Technology) and

the U.S. Bureau of Mines. These initiatives include programs on: a) diesel emissions in underground mines; b) wire rope and hoisting technology; and c) ground control and emergency preparedness. New programs are being studied on the subjects of sulphide dust explosions and robotics. A ceramic diesel exhaust filter, which will improve the mine working environment and reduce diesel emissions, has been developed as a result of collaborative research. The ceramic filter is being tested in a number of mines. An agreement has been signed between the Ministry of Labour and West Germany for the exchange of technical information on mine hoisting

Publishing and widely distributing quarterly reports covering industry performance in such areas as incidents, accidents, fatalities, prosecution, work refusals, stop-work orders and hazard notices

Implementing a program for annual audits of mine designs, to assist in detecting potential ground problems so that appropriate preventive action may be taken

Establishing a computerized data base on falls of ground and rockbursts to identify trends in and causes of ground movement and to eliminate hazards

Aiding in the establishment of a new mines and minerals facility. On July 30, 1986, the premier announced that the Wire Rope Testing Laboratory and the headquarter offices of the Mining Health and Safety Branch will be relocated to Sudbury. The Wire Rope Lab is to be part of the new mines and minerals facility to be established on the Laurentian University campus. The headquarter offices of the Mining Health and Safety Branch will be located in the Ministry of Northern Development and Mines building in downtown Sudbury.

#### Inspection and Fatality Data

	1987/88	1986/87
Mine Rescue Stations	8	8
Mine Rescue Substations	42	37
Miners Under Training		
in Mine Rescue	781*	678*
Wire Rope Tests	1,029	966
Revenue from Wire		
Rope Tests	\$230,578	\$223,200
Non-fatal Accidents		
Investigated	3,493	3,618
Critical Injuries Investigate	ed <b>66</b>	63
Fatalities Investigated	19	10
Refusals to Work Investig	ated 17	32
Unusual Occurrences		
Investigated	350	336
Hours Spent Investigating		
Complaints	2,040	2,599
Hours Spent on		
Pre-development Review	10,672	10,102
Inspection Reports	4,976	5,548
Orders Issued	5,195	4,333
Stop-work Orders	132	87
Prosecution Cases	12	7
Convictions	8	3
Fines	\$93,000	\$8,000

<sup>\*</sup> These figures are for the period January 1 to December 31,

# Industry Statistics

	1987/88		1986/87	
	Operations	Workers	Operations	Workers
Underground Mines	192	26,712	168	24,512
Open-pit Mines	63	2,440	49	2,692
Quarries	451	3,092	436	3,175
Clay and Shale Pits	29	477	31	111
Sand and Gravel Pits	6,068	7,184	5,972	7,080
Peat Workings	20	61	20	60
Brine Wells	1	-	1	_
Metallurgical Plants	31	6,186	27	6,867
Metallurgical Labs	15	554	13	393
Aggregate Plants	23	394	23	370
Diamond Drilling Operations	57	237	47	228
Offshore Rigs	8	35	8	13
Total	6,958	47,372	6,795	45,501

# Labour Policy and Programs

#### Peter Sadlier-Brown Assistant Deputy Minister

The Assistant Deputy Minister of Labour Policy and Programs is responsible for the ministry's policy development activities and new legislative initiatives, and for monitoring existing programs and policies to determine their effectiveness. This monitoring includes overseeing the ministry's Policy Branch, which has a mandate to initiate, develop and co-ordinate policy activities as well as to co-ordinate and prepare ministerial correspondence and liaise with other ministries.

The assistant deputy minister is also responsible for the activities of the Employment Standards Branch, the Employment Adjustment Branch, the Handicapped Employment Program, the Office of the Employer Adviser and the Office of the Worker Adviser.

# **Employment Standards Branch**

#### P. Dutton Director

The objective of the Employment Standards Branch is to ensure that people in the Ontario work force are protected with respect to minimum wage and working conditions through the active promotion of compliance and the enforcement of the following legislation:

The Employment Standards Act

The Industrial Standards Act

The Employment Agencies Act

The Fair Wage Schedules on contracts let by the provincial government.

Approximately 60 per cent of the branch's staff is based in regional offices in Hamilton, Kitchener, London, Ottawa, Sudbury and Metropolitan Toronto, as well as in various suboffices.

#### 1987/88 Activities

Employment Standards Act — General

The branch continues to face a heavy case load, with most of its day-to-day activities related to servicing complaints under the *Employment Standards Act*. In 1987/88, the branch:

Increased its range of activities by the addition or revision of a number of standards:

 passage of Bill 85, amending the severance pay and termination sections of the *Employment Standards* Act (a technical guide to the changes is available in the Ontario Government Bookstore)

- addition to regulations, providing further employment protection for domestic workers
- enactment of an amendment (Bill 51), protecting workers in retail business with regard to work on Sundays

Tabled in the legislature the first phase of the Task Force on Hours of Work and Overtime (the Donner Task Force)

Registered 18,377 new claims, of which, 18,301 were resolved. A training region was established to assist with claim resolutions and to develop field expertise. Approximately one-third of all claims were resolved within 30 days

As a result of investigative activity, collected \$10,276,485 on behalf of 21,682 employees. A further 190 preventive inspections carried out on selected employer populations across the province resulted in 720 employees benefiting

Received a 21 per cent increase (to 1,022,030) in the number of telephone and letter inquiries that were handled by the head office telephone inquiry unit, the field staff and the electronic messaging system. This public assistance was complemented by an increased number of personal interviews (32,663) with walk-in claimants

Conducted an increased number of public forums and employer education seminars as well as producing and distributing a number of technical bulletins on the Act.

Employment Standards Act — Specific

Appeals and Hearings

The Employment Standards Act provides for a review of an order against an

employer made by an employment standards officer. The appeal is heard by a referee selected from a panel of referees appointed by the minister. In the 1987/88 fiscal year, 165 applications for review were resolved.

The director may also appoint a referee to hold a hearing in situations where an employment standards officer has so recommended based on the opinion that an act has been committed or an agreement or arrangement has been made to defeat the purpose of the *Employment Standards Act*. In the 1987/88 fiscal year, such hearings were held in eight cases.

Should an employer fail to pay monies owed under an Order to Pay issued by an employment standards officer, the director may issue a certificate to be filed in a court of competent jurisdiction. The certificate is then enforceable as a judgement or order of court, pursuant to section 54 of the Act. In the 1987/88 fiscal year, 228 such certificates were filed.

Any person who contravenes any provision of the *Employment Standards Act* may be prosecuted in the provincial offences court; upon conviction, in addition to any penalty imposed by the court, such a person may be ordered to pay to the director in trust the wages owed to the employees. Upon payment, the monies will be distributed to the employees. In the 1987/88 fiscal year, 18 cases were sent to the provincial offences court for prosecution.

# Permits and Approvals

The *Employment Standards Act* empowers the director to issue a permit authorizing hours of work in excess of the statutory work-week of eight hours in a day and 48 hours in a week. The director may also approve a regular workday of more than

eight hours. Before granting discretionary permits, the branch reviews special excess-hours permit requests with the company and, if a bargaining agent exists, the union.

#### Working Conditions and Analysis

Analysis and research on labour policy and program issues that are directly related to minimum-employment conditions are performed by the Working Conditions and Analysis Unit of the branch.

#### Industrial Standards Act

The *Industrial Standards Act* provides a means for employer and employees to jointly establish a schedule of working conditions that reflects the prevailing labour standards in their industry. Once enacted, the provisions of a schedule become mandatory on all who perform work as defined in the industry definition.

To provide a measure of self-regulation, four schedules, covering approximately 400 employers and 8,300 employees, are administered and enforced by five-member advisory committees comprised of management and labour representatives who are active in the industry. No schedules were updated in 1987/88.

# Employment Agencies Act

The Employment Agencies Act provides a measure of protection from unjust practices when job applicants use 'permanent' employment agencies to assist them in finding work. Agencies are required to apply for and receive the appropriate licence before doing any placement activity. The four classes of licences specify occupational categories, and clients and/or applicants are required to pay a placement fee. An agency can hold only one class of licence.

#### Fair Wage on Government Contracts

The Fair Wage on Government Contracts program is designed to ensure that workers engaged on contracts awarded by government ministries for construction, building-cleaning and security projects and on municipal road-building projects have a means to obtain the minimum standard of wages, hours of work and overtime that prevails for their work classification in the area where it is performed.

Contractors, when bidding on government contracts, also receive a measure of protection from unfair competition based on reduced labour costs.

Wage rates in each zone are periodically confirmed and adjusted by survey. In the interim they are reviewed each year and adjusted when required on the basis of industry settlements, the consumer price index and consultation with industry.

## Agricultural Industry Advisory Committee

This committee advises the minister on matters relating to the application of employment standards legislation to agricultural workers, and on the development and modification of employment standards appropriate to the agricultural industry. The committee is composed of representatives of farm owners and farm workers, who meet only as needed.

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Inv	esti	ga	tive	Acti	vity

	Clair	n Files	Preventive	Inspections	To	tal
	1987/88	1986/87	1987/88	1986/87	1987/88	1986/87
Workload:						
Pending from						
Prior Fiscal Year	2,677.0	2,939.0	-	-	2,677.0	2,939.0
Registered/Assigned	18,377.0	18,524.0	190.0	234.0	18,567.0	18,758.0
Total	21,054.0	21,463.0	190.0	234.0	21,244.0	21,697.0
Resolved/Conducted Resolutions as % of	18,301.0	18,301.0	190.0	234.0	18,491.0	18,535.0
Total Workload : Results: Number of	86.9	85.3	-	-	_	***
Collections	11,327.0	11,483.0	44.0	70.0	11,371.0	11,553.0
Employees Benefited Amount Collected	21,682.0	22,334.0	720.0	554.0	22,402.0	22,888.0
(\$000s)	10,276.5	10,390.9	267.1	157.6	10,543.6	10,548.5
Outstanding Files End						
of Fiscal Year	2,453.0	2,677.0	-	-	2,453.0	2,677.0

# Collections by Standard

	Amount Collected			Collections dividual	Employees Benefited Financially by	
	(\$000s)	(\$000s)	Sta	ndard	Individual	Standard
	1987/88	1986/87	1987/88	1986/87	1987/88	1986/87
Minimum Wage	79.5	70.6	258	243	428	392
Overtime	1,479.1	1,346.0	1,326	1,389	4,245	3,851
Public Holidays	252.1	250.3	632	645	1,865	1,717
Vacation Pay	2,613.7	2,793.1	8,196	8,337	14,731	16,711
Equal Pay for						
Equal Work	160.0	254.5	21	31	208	296
Benefits	.4	2.2	3	10	3	10
Pregnancy Leave	36.9	33.7	18	14	18	14
Lie Detector*	6.6	_	1	-	1	_
Termination Pay	1,963.6	1,452.5	2,292	2,194	2,856	2,964
Benefits during						
Notice Period	2.9	0.3	5	6	5	6
Severance Pay	1,165.6	2,187.2	51	9	290	527
Collection of Wages	2,505.2	2,152.0	5,692	5,618	6,986	7,506
Fair Wage on						
Gov't Contracts	10.5	4.0	. 8	4	37	6
Industrial Standards	.2	2.0	1	5	3	6
Total	10,276.5	10,548.4	18,504	18,505	31,676	34,006

<sup>\*</sup> Revised.

General Inquiry and Inf	ormation Ac	ctivity	Hearings (Section 51)		
	1987/88	1986/87	19	87/88	1986/87
Telephone Inquiries			Pending from Prior		
(Non-claim) Handled:			Fiscal Year	11	13
by staff	660,864	611,703	Initiated	10	7
by electronic message	358,633	228,896	Results:		
Letter Inquiries (Non-clai		,	Employer Found in		
Responded to	2,533	3,352	Violation	2	4
Personal Interviews Held	32,663	30,580	Employer Found in		
Tersonal finerviews freid	52,005	30,300	Compliance	1	4
Total	1,054,693	874,531	Settled Outside of Hearing	5	1
	, ,		Total	8	9
Public Appearances and					
Employer Education	225	4.770	Outstanding End of		
Seminars Held	235	170	Fiscal Year	13	11
Number in Attendance	9,028	6,399	Court Action		
Appeals (Section 50)			Court Action		
			19	87/88	1986/87
	1987/88	1986/87	Prosecutions Finalized	9	28
Pending from Prior			Section 54 Certificates Filed	228	172
Fiscal Year	120	140			
Intake	193	187	Permits/Approvals		
Results:			Termits/Approvals		
Order Confirmed	49	99	4.0	0=(00	400610=
Employer Upheld	16	23	19	87/88	1986/87
Other Varied	19	27			
Settled Before Hearing	81	58	Total Excess Hours Permits	570	638
			100 Hour	373	471
Total	165	207	Special	197	167
			Homeworker Permits	93	105
O					
Outstanding End of Fiscal Year	148	120	Averaging Approvals	105	212

Employment A	gency Licences
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	Ini	tial	Renewal		Te	Total	
Class	1987/88	1986/87	1987/88	1986/87	1987/88	1986/87	
A	237	187	802	728	1,039	915	
В	2	2	7	5	9	7	
С	1	1	1	3	2	4	
D	10	4	11	17	21	21	
Total	250	194	821	753	1,071	947	
Revenue (\$)					211,800	186,700	

# Fair Wage Schedules

	Number		Value	(\$)
	1987/88	1986/87	1987/88	1986/87
Schedules Included in Contracts				
Let by Provincial Ministries				
Construction	588	641	334,187,188	313,050,766
Building Cleaning and Security	142	203	12,197,793	9,864,086
Total	730	844	346,384,981	322,914,852
Schedules Updated	0	0	N/A	N/A

# **Employment Adjustment Branch**

# Harry N. Shardlow Director

The Employment Adjustment Branch, formerly the Plant Closure Review and Employment Adjustment Branch, monitors large-scale cutbacks and closures in Ontario, providing consultative assistance to employers and employees on the provisions of the employment standards legislation and providing access to adjustment programs for affected employees.

#### In 1987/88, the branch:

(At least 50 Employees)

Continued to upgrade and improve the employee counselling program (see table, below). One of the branch's most successful programs took place at Firestone Canada in Hamilton, where 1,000 workers participated in the counselling sessions.

Statistics on Terminati	ions	
	1987/88	1986/87
Termination Cases		

#### Cases:

4,037	5,629
1,010	889
10,573	5,776
95	98
25	43
9	12
61	43
	9 25 95 10,573 1,010

Industrial Adjustment Committees					
	1987/88	1986/87			
Committees Established Employees Terminated in Cases Where Committees	55	82			
Established	7,025	9,498			
Financial					
Commitment	\$46,150	\$30,950			
Employee Counselling Pro	ogram				
Programs Established Employees	35	23			
Participating	2,452	600			

# Handicapped Employment Program

John Rae\* Acting Manager

The Handicapped Employment Program (HEP) promotes employment equity for people with disabilities.

It provides specific services to employers and other sectors and to communities, as well as information services.

In 1987/88, the program:

Co-ordinated 'Linking for Employment', a major provincial conference attended by 130 employment/placement counsellors for persons with disabilities. The conference, which was set up to establish a network organization of employment/placement counsellors, was jointly sponsored by HEP, Employment and Immigration Canada and the Personnel Association of Ontario (PAO)

<sup>\*</sup> John Rae was appointed acting manager on February 22, 1988.

Produced two award-winning publications (English and French, print and audio):

- Taking Aim: Job Search Strategies for People with Disabilities (1987 winner of government information officers' Forum gold award for excellence in communications)
- PROFiLE, a single-issue magazine featuring the careers of 34 people with disabilities successfully working across Ontario (1988 winner of government information officers' Forum gold award for excellence in communications).

Services to Employers

In 1987/88, HEP accomplished the following:

Provided employment equity consulting services to 69 employer clients, as well as ongoing information services to 348 employer contacts

Delivered 62 training seminars to employers from a mix of companies (about 2,100 people attended these seminars)

Provided 21 employers with 24 Summer Experience '87 students to assist with their employment equity programs

Produced an employer training package, Employment Equity — A Front Line Challenge (workbook and manual)

With the Race Relations Directorate, developed and presented a joint employment equity seminar for employers

Sponsored, facilitated or attended 24 seminars, conferences or other events.

Services to Other Sectors

In recognition of the essential linkages needed to increase job opportunities for people with disabilities, HEP:

Continued to network and develop initiatives with:

- 30 vocational-rehabilitation organizations
- 17 government agencies
- 22 educational groups
- 12 labour organizations
- 19 consumer or self-help groups

Revised 'Supported Employment', a discussion paper on a unique model of service delivery that uses a short-term job coach to assist people with severe disabilities to compete in the workplace

Published *PROFILE*, a single-issue magazine, and distributed over 19,000 copies to key target audiences across Ontario

Sponsored, facilitated or attended 34 seminars, conferences or other events.

Services to Communities

In providing consultation and support to various community initiatives, HEP:

Launched *Taking Aim: Job Search*Strategies for People with Disabilities in five communities in Ontario

Continued links and developments in 16 communities across Ontario, including participation in community councils and planning committees

Planned, organized and participated in a media tour, successfully promoting *PROFiLE* in 10 communities in Ontario

Provided 27 organizations in communities across Ontario with Summer Experience '87 students to work on a wide variety of projects designed to increase employment opportunities for people with disabilities

Sponsored, facilitated or attended 40 seminars, conferences or other events

Provided staffed information displays at nine events

Gave a grant to PATH Employment Services (Hamilton) to develop training materials for job-seekers with disabilities, to be used in conjunction with *Taking Aim* 

Gave a grant to Sarnia Community Resource Council for an employer conference.

#### Information Services

HEP provided the following information services across Ontario:

Distributed over 23,000 brochures and resource materials, in addition to 18,983 copies of *PROFiLE*, to representatives of all sectors

Gave out thousands of promotional buttons, bookmarks, brochures, posters, carrier bags and other promotional materials at conference workshops, seminars and trade shows

Advised, in person, 279 job-seekers with disabilities and gave specific résumé advice to 112

Responded to over 6,800 telephone messages related to resources, referral and problem-solving.

# **Policy Branch**

#### Nicholas Ignatieff\* Acting Director

The Policy Branch provides the minister, senior ministry officials and the government with information, analysis and advice to assist and enable the ministry and government to develop

policy positions, legislation and programs in the following areas:

Terms and conditions of employment

Industrial relations, rights and other legislative programs

Occupational health and safety and workers' compensation

In 1987/88, the branch:

Completed development of proposals for reform of severance, notice of termination and plant closure legislation

Represented the ministry on the issue of labour adjustment and free trade before the Standing Committee on Finance and Economic Affairs

Conducted consultations with other ministries and various external organizations on the Phase I recommendations of the Task Force on Hours of Work and Overtime (the Donner Task Force)

Developed new regulations under the *Employment Standards Act* concerning domestics

Commissioned a study to determine incidence and terms and conditions of employment of 'live-out' baby-sitters and 'companions'

Participated in various interministerial committees on new pension and insurance legislation to ensure conformity of Regulation 282 under the *Employment Standards Act* 

Consulted with the Ministry of Community and Social Services on a new wage policy for persons with disabilities

Participated in federal-provincial discussions regarding various labour issues

<sup>\*</sup> Nicholas Ignatieff was appointed acting director on October 19, 1987.

Developed policy for the revision of the Fair Wage on Government Contracts schedules

Assisted in the establishment of the Pay Equity Commission to administer the Pay Equity Act

Monitored legal cases under the *Charter* of *Rights and Freedoms* to ensure conformity of ministry legislation

Participated in an interministerial task force to develop a regulation under the *Human Rights Code* to define 'undue hardship' in accommodation of the handicapped

Consulted with various labour and management groups concerning the Employment Standards Act, the Labour Relations Act, the Crown Employees Collective Bargaining Act and the Hospital Labour Disputes Arbitration Act

Provided advice to the minister with respect to the implementation of the Freedom of Information Act

Represented the ministry in various Canadian Association of Administrators of Labour Legislation (CAALL) committees, and participated in numerous public meetings to explain ministry policies and legislation

Assisted in the development of proposals to amend the *Occupational Health and Safety Act* 

Provided staff support to the implementation committee reviewing the Task Force Report on Health and Safety in Agriculture

Developed proposals for revising permanent partial disability benefits administered by the Workers' Compensation Board

Prepared and led consultations on a discussion paper on injured worker right to re-employment.

## Office of the Worker Adviser

Odoardo Di Santo Director

The Office of the Worker Adviser (OWA) assists injured workers in dealing with the workers' compensation process, with special reference given to the Client Services Division of the Workers' Compensation Board (WCB) and the Workers' Compensation Appeals Tribunal (WCAT), by:

Advising injured workers of their rights under the *Workers' Compensation Act* so that they will be able to represent themselves at the operating levels of the WCB

Representing injured workers at all levels of the WCB, at the WCAT and beyond

Working with labour and injured worker groups, MPPs and other organizations representing injured workers, and supporting them in their representation work

Identifying operational problems in workers' compensation that may require changes in practices or policies.

#### 1987/88 Activities

This period was characterized by an unprecedented increase in the demand for services. OWA staff responded to 15,073 cases, a 30 per cent increase over last year's figure of 11,632 and in excess of 200 per cent more than the original projected work load, made when the office opened in October 1985.

To meet the challenge of increased client demand, the OWA established two new advisory units: the West Toronto and Niagara Region Advisory Unit, and the Northern Region Advisory Unit. New offices were opened in Sault Ste. Marie and Timmins.

The OWA now has six distinct units:

The Director's Office, which administers the program

The Special Services Unit, which conducts and co-ordinates the ongoing legislative interpretation of the *Workers' Compensation Act*, carries out medical and legal research on specific complex issues, and is responsible for internal and external workers' compensation training

The four Regional Advisory Units, which are responsible for providing representation services in their respective geographic areas:

- Toronto Region Advisory Unit (offices in downtown Toronto, in Scarborough and at the Downsview Rehabilitation Centre)
- West Toronto and Niagara Region Advisory Unit (a new unit, providing services in the Downsview, Weston and Hamilton areas)
- Central Region Advisory Unit (offices in Kitchener, London, Windsor and Ottawa)
- Northern Region Advisory Unit, which assures service to injured workers in Northern Ontario (a new unit, with offices in Sault Ste. Marie, Sudbury, Timmins, and Thunder Bay)

Training and Outreach Activities

Owing to the increasing complexity of the workers' compensation system, the OWA has undertaken to provide training to external workers' representatives, such as unions and MPPs, in order that they may represent workers in their appeals. To encourage and support these representatives in their assistance to injured workers, the OWA continues its active program of training and outreach. In 1987/88, the OWA was involved in over 60 external training and outreach

sessions and prepared a basic training manual for workers' compensation case work.

Policy Initiatives

From the outset, the OWA has attempted not only to advise and represent workers, but to analyse its case experiences with a view to improving the workers' compensation system as a whole. The approach has been to resolve as many recurring problems as possible on a systemic basis, in order to avoid the need for costly appeals in numerous individual cases, and accordingly, the OWA has worked with a number of other organizations in the system: the WCB, the WCAT and the Office of the Employer Adviser. The OWA has also engaged in ongoing consultation with injured worker and labour organizations, in an attempt to reflect their concerns.

In 1987/88, policy initiatives included:

Compensation for Chronic Pain

The OWA actively participated in the elaboration of chronic pain policy by the WCAT and by the WCB. At the WCAT, the OWA made submissions to the leading case panel on the retroactivity date for chronic pain entitlement. At the WCB, the OWA made submissions in response to the board's July 1987 chronic pain policy and it represented several workers in the board's s.86n review of tribunal decisions on chronic pain compensation for temporary disability.

Definition of 'Accident' — WCAT Decision No. 72

WCAT Decision No. 72 recognized that the definition of 'accident' under the Act could include a sudden onset of pain and disability at work. The OWA represented the worker who was the subject of Decision No. 72, in the WCB's s.86n review of that WCAT

decision. The OWA proposed improved procedures for the s.86n review process on behalf of the worker, and challenged the existing procedures in divisional court.

#### WCAT Procedures

The OWA studied various aspects of the WCAT's procedures, with a view to simplifying them. Results were conveyed to the WCAT in January 1988; a special meeting of the WCAT's advisory group was scheduled for April 1988, to discuss procedures.

#### Other Initiatives

Additional OWA initiatives at the WCAT included leading cases on interest on retroactive benefit payments; on disclosure of workers' WCB medical files to employers; and on the issue-setting powers of the WCAT. Additional OWA initiatives at the WCB included submissions on the hearing-loss policy review and on gold-mining and cancer claims.

# Distribution of Cases over Type of Services Provided

	1987/88
Waiting List Cases	-
Brought Forward	2,940
Representation Cases	
Brought Forward	4,050
Total Cases	
Brought Forward	6,990
New Cases	8,083
Total Cases	15,073
Advisory Cases Completed	5,562
Representation Cases Completed	2,476
Total Cases Completed	8,034
Representation Cases Still Open at	
End Of Year	3,863
Total Cases Handled	11,901

# Office of the Employer Adviser

Jason E. Mandlowitz Director

The Office of the Employer Adviser (OEA) provides Ontario employers with advice on matters relating to workers' compensation through practical assistance on problems and questions related to the Workers' Compensation Board (WCB) and the Workers' Compensation Appeals Tribunal (WCAT). As well, it advocates policy on behalf of employers by communicating their concerns to the proper administrative authorities.

The OEA helps to provide an independent appeals and claims review system in Ontario and assists employers in understanding WCB procedures, policies and statutory operating requirements.

In 1987/88, the OEA:

Administered a client survey in Metropolitan Toronto, receiving a client rating of 'A' from 73.3 per cent, 'B' from 22.8 per cent and 'C' from two per cent

Conducted a trade and business association survey to determine private sector WCB activity

Conducted an OEA telephone access survey of Toronto and regional offices of the WCB

Obtained approval to conduct an OEA market-penetration study

Published new booklets and distributed 20,000 copies of the OEA's general information brochure

Produced and distributed 5,000 information bulletins

Developed and distributed an employers' WCB manual

Petitioned the WCB on policy matters such as:

- · hearing loss
- right to reinstatement
- permanent partial disability pensions
- chronic pay
- PCBs
- · information disclosure
- section 91(6) (merit assessment)
- chronic pain disability retroactivity
- administrative policy, including the role of the employer as a witness at a hearing, assessment information, and the need to redesign the Employer Accident reporting form

Established an internal monitoring procedure to review and collect data on significant WCAT decisions

Appeared as a witness before the Standing Committee on Resource Development during its review of the 1985 WCB annual report Recruited a new manager of Regional Services and a new policy analyst

Served as external intervenor at WCAT on test cases: Decision No. 72 (definition of 'accident'), Decision No. 2 (definition of 'suitable and available work') and the role of the ombudsman.

#### **OEA** Activity

	1987/88 Activities					
N	May 1, 1987 Forecast	Actual	Percentage Difference			
Contacts	6,925	8,040	16.1			
Files	2,430	2,098	15.8			
Hearings	155	169	9.0			
Workshops						
(Number)	30	62	106.7			
Workshops						
(Employer						
Attendance)	1,300	2,060	58.5			
Direct Savings						
(\$ millions)	10.0	12.5	25.0			
External Public						
Events	N/A	174	N/A			
Employer						
Meetings	N/A	1,165	N/A			

# Finance and Administration Division

#### M. Rodrigues Executive Director

The Finance and Administration Division is responsible for providing administrative support for the operating divisions of the ministry in the areas of financial management and analysis, administrative operations, internal audit, library and information services, human resources, and information technology and systems. The division also provides specialized support services to the ministry in the administration of the Freedom of Information and Personal Privacy Act, 1987. In addition, the Executive Director of Finance and Administration provides administrative direction to the Communications Branch and the Co-ordinator, French Language Services. which report to the Deputy Minister for program purposes.

# Financial Management and Analysis Branch

#### J. Leggatt Director

The Financial Management and Analysis Branch develops and implements financial management, planning, reporting and control systems for the Ministry of Labour, in accordance with the ministry's objectives and the government's goal of effective control of expenditure, revenue collection and results. The branch administers the ministry's accounts payable and receivable systems and is responsible for the processing of its payroll and related employee benefits. The branch also provides consulting and advisory services to ministry management.

## In 1987/88, the branch:

Implemented an administratively integrated approach to the ministry's financial planning and budgeting activities

Assessed branch automation requirements with a view to introducing technology for increased productivity and analytical capacities in the areas of financial transacting, planning and budgeting.

1987/88 Summary of Ministry Expenditures, Revenue and Funds

Ex	General penditure (\$000s)	General Revenue (\$000s)	Trust Funds (\$000s)
Ministry			
Administratio	n 22,861	62	_
Industrial			
Relations	9,671	37	-
Occupational			
Health and			
Safety	50,128	11,270	-
Employment			
Standards	9,020	312	7,226
Labour Relation	ons		
Board	7,385	64	_
Pay Equity			
Commission	1,849	_	_
WCAP	6,566	5,203	-
Credits	_	210	_
Total	107,480	17,158	7,226

## **Human Resources Branch**

#### N.E. Mayne Director

The Human Resources Branch provides consultative and administrative functions to the Ministry of Labour in the areas of staffing; compensation and staff relations; human resources planning; and development, including training; benefits; and the related processing and records maintenance functions.

The branch operates under the authority of the *Public Service Act* and regulations, the *Crown Employees Collective Bargaining Act* and the Collective Agreement, and is responsible for their administration.

In 1987/88, the branch's activities included:

#### Staffing

Administering 483 recruitment competitions throughout Ontario, with significant activity in areas such as the Occupational Health and Safety Division, the Office of the Worker Adviser, the Human Rights Commission and the Pay Equity Commission.

Recruiting for Special Programs, which resulted in placements for 437 participants

Summer Experience '87 Students	277
Summer Students - Ministry Paid	63
Students Training in	
Industrial Relations (STIR)	33
Ontario-Quebec Job Exchange Students	11
'Futures' Youth Employment	8
Post-Secondary Work Placement	5
Post-Secondary Co-operative	
Education Students	3
Secondary School Co-operative	
Students	14
Rehab/Work Assessment Work Stations	17
Ontario Public Service Interns	4
Practicum Student	1
Extern Student	1
Total	437

# Compensation and Staff Relations

Updating, evaluating and classifying 605 positions in the ministry and its boards, agencies and commissions, including the Pay Equity Commission and the Workers' Compensation Appeals Tribunal

Supporting a reorganization of the Occupational Health and Safety Division and the Information Technology and Systems Branch

Updating manual organization charts on all branches where, for example, new positions were added or titles and reporting relationships were changed, etc.

Co-ordinating and directing 39 second stage grievance hearings

Revising worker/employer adviser class standards

Arranging and attending two orientation workshops to familiarize line managers on the proper method of completing the Physical Demands Analysis (PDA) forms. PDAs are now requested on all positions under review, recruitment and audit

Recruiting a staff relations trainee for general duties

Preparing a staff relations training course intended for line managers (sessions to commence in spring/summer 1988)

Participating in employee relations committees at the local and corporate levels

Providing ongoing advice and consultation to management and staff on industrial relations matters

Continuing to administer the *Public Service Act* and regulations, the *Crown Employees Collective Bargaining Act* and the Collective Agreement.

Human Resources Planning and Development

A new unit was formed in 1987 to co-ordinate human resources planning and development for the ministry. During the year, the unit was responsible for:

Consolidating human resources planning for the ministry, including preparation of the Strategies for Renewal report and monitoring of the results of the action plan

Monitoring the Voluntary Exit Opportunities (VEO) Program Preparing background documents and draft policies for human resources

Initiating the automation of information systems for the branch

Administering the Potential Executive Program, which is responsible for the selection and development of candidates for the corporate succession planning inventory

Assisting in the development of a major report on management training and development

Initiating a comprehensive review of the ministry's performance appraisal system

Presenting line managers with training programs on human resources management topics

Presenting seminars in career planning and 'Broadening Your Horizons' to Ministry of Labour employees in co-operation with the Employment Equity Program

Extensively revising the orientation program for new employees and establishing a schedule for regular operation in 1987/88

Developing, conducting and evaluating a pilot career-planning workshop in co-operation with the Employment Equity Program

# Benefits

Continuing to advise employees on the benefits package, relocation expenses and Public Service Superannuation Fund

Providing employees with advice and interpretation regarding the Voluntary Exit Opportunities (VEO) Program

Monitoring extended absences and liaising with Employee Counselling Services relating to the Short Term Sickness Plan, the Long Term Income Protection Plan, work stations and rehabilitative employment

Co-ordinating the ministry's annual pre-retirement seminar and other special programs.

# Information Technology and Systems Branch

#### Michael E. Roach Director

The objective of the Information Technology and Systems Branch is to enable the effective and efficient provision of information technology and systems in support of Ministry of Labour programs, government legislation and policy.

The branch provides the following services:

Strategic systems and technology planning

Systems prototyping, developing and maintenance

Information technology services Facilities operations

In 1987/88, the branch's activities included:

Updating and marketing of the ministry's Information Technology Strategic Plan

Evaluation, selection and acquisition of computer hardware and software for the following program areas:

- Pay Equity Commission
- Office of the Worker Adviser
- Policy Branch
- Industrial Relations Division
- Employment Standards Branch

- Communications Branch
- Health and Safety Support Services Branch
- Public Service Appeal Boards
- Policy and Regulations Branch (Occupational Health and Safety Division)
- Legal Branch

Implementation of minicomputer hardware and software for executive management of the ministry

Analysis, design and development of an executive level correspondence tracking/management system

Acquisition of electronic publishing technology for Records/Forms Management and the Pay Equity Commission

Analysis, design, prototyping and development of a library Hansard system

Installation of integrated hardware and office automation software for the Workers' Compensation Appeals Tribunal

Training of over 480 personnel in the use of micro- and minicomputer-based software.

# Administrative Operations Branch

#### R.R. Hogarth Director

The head office staff of the Administrative Operations Branch provide records management, central purchasing, accommodation, telecommunication, reproduction, mail, stockroom and transportation services to the ministry's program groups.

District office staff provide administrative support services to those ministry programs that serve their client groups out of district and field office locations.

In 1987/88, the branch's activities included:

Negotiating for and co-ordinating additional facilities or relocations to respond to the expanded operations of the ministry's branches, boards and commissions both at head office and field locations. These include the Employment Standards Branch, the Office of the Worker Adviser, the Office of the Employer Adviser and several district offices

Initiating and co-ordinating improved telephone systems for the ministry

Preparing a business case and acquiring computers to perform automated forms design and compiling of statistics for a records management data base

Revising ministry forms in accordance with the requirements of freedom of information and protection of individual privacy legislation

Procuring equipment, supplies and services on behalf of the ministry. The total amount was \$15 million. Purchases ranged from sophisticated technical equipment required by the Occupational Health and Safety Division to replenishments for the

ministry's central stockroom. The number of requisitions processed and purchase orders issued increased by 23 per cent over 1986/87.

# Ongoing Activities of the Administrative Operations Branch 1987/88

Records Management		
Schedule Implementation		Cubic fee
Inactive Records Transfers	red	2,095
Destruction of Obsolete R from Records Centre	ecords	1,321
Destruction of Obsolete R	ecords	
from Ministry Archival Records Transfer	red to	1,239
Archivist of Ontario		320
Forms Management		
Review of Forms		287
Analysis and Design of Ne		199
Analysis and Design of Re Reprinting of Forms with	evised Forms	419
No Graphic Changes		1,158
Elimination of Obsolete F	orms	105
Office Services		
Copy Centre	Per month	(average)
Average Number		
of Impressions		1,400,000
Stockroom	Per month	(average)
Shipments Received		342
Items Supplied to Program	n Areas	2,006
Purchasing		
Requisitions Processed		6,880
Purchase Orders Issued		4,561
Tenders Processed		111

#### **Internal Audit Branch**

D.A. Anderson Director

The Internal Audit Branch provides independent reviews of all operations of the ministry and its agencies (excluding Workers' Compensation Board) in the areas of finance, management and information services.

In 1987/88, the branch:

Completed audits of the Task Force on Vocational Rehabilitation, the Public Service Appeals Boards, the Non-Payroll Expenditure systems and the Office of Arbitration

Commenced audits of the Revenue and Receivables system and the Ontario Conciliation and Mediation Service

Continued the review of the Industrial Relations Division's Research and Analysis Unit in conjunction with that division's Office of Arbitration and Ontario Conciliation and Mediation Service audits

Carried out special investigations/requests as required.

# Ministry Library and Information Services

Sandra A. Walsh Manager

The Ministry Library and Information Services is one of the major collections in its subject area in Canada, providing — in print, microform and electronic format — a centralized, responsive and pro-active service to support the programs and initiatives of the ministry and those of its agencies, commissions and committees.

In 1987/88, services included:

Design of a data base indexing Ontario Hansard for eventual uploading and

access via the Executive Office Automation system

Ongoing maintenance of private files on the BASIS system, including the MOLINDEX serials data base, the MOLICAT library catalogue and the Employment Standards Decisions data base

Introduction of CD-ROM technology for efficient and cost-effective online searching

Centralization of online information retrieval of Statistics Canada information by access to CANSIM as part of an Ontario government closed user group

Preparation of a case study and Request for Proposal for the selection and acquisition of an integrated library automation system

Design of a visual identity wordmark for Ministry Library publications

Establishment of a reading room to comply with freedom of information legislation and the facilitation of requests by referral to appropriate branches of the Freedom of Information Co-ordinator

Participation in the implementation of French language services by selective acquisition of publications and appropriate access to them by indexing and cataloguing services as well as translation of library publications used by the public

Outreach to district offices by visits of staff members to market library services

Assistance in the planning for library services in the Mines and Minerals Research Centre in Sudbury.

#### Statistics

	1987/88	1986/87
Publications Ordered	1,373	1,508
Publications Catalogued	2,518	4,000
Circulation	5,715	6,196
Interlibrary Loans		
Loaned	1,881	2,498
Borrowed	538	698
Reference		
Ministry	1,736	1,375
Non-Ministry	4,992	4,146
Online Literature Searches	578	1,002
Articles Indexed	6,765	7,686
Bulletins Mailed	37,961	37,454
Articles Requested		
Ministry	8,078	8,427
Non-Ministry	7,058	7,699
Records on BASIS Database	s	
MOLINDEX		
(Serials)	70,680	65,550
MOLICAT		
(Library Catalogue)	24,378	22,348
OLRB Decisions	7,906	7,741
ESA Decisions	2,281	2,014
OHRC Decisions	418	396

# Office of Management Improvement

#### William O. Hall\* Manager

The Office of Management Improvement was established in August 1987 to provide line management of the ministry with consultative and operational services in the areas of organizational design, management processes and operational improvement. Included in the services of the office are the management and co-ordination of the ministry's Activity Review Program and Opportunities for Development Program.

In 1987/88, the office:

Completed division and branch organizational changes initiated by the McKenzie/Laskin Report on the Administration of the Occupational Health and Safety Division

Initiated operational reviews in the stockroom and district office sections of the Administrative Operations Branch

In conjunction with the Human Resources Branch, completed seven one-day workshops for line managers on management processes such as performance appraisal and human resources planning.

<sup>\*</sup> William Hall was appointed manager on September 1, 1987.

# Organizations Reporting Directly to the Deputy Minister

# Science Policy Adviser

Ann E. Robinson, Ph.D., C.Chem., F.C.I.C.

The Science Policy Adviser:

Provides advice to the deputy minister on existing and emerging issues in occupational and environmental health and safety

Provides advice on the development of strategies for closer collaboration between government and academic institutions in the areas of research, information exchange and staff development

Ensures the development of an overview of education and training needs and programs concerning occupational health and safety in Ontario

Maintains contact with other jurisdictions on current issues

Provides science and science policy advice relating to specific ministry legislative initiatives

Collects and collates information on research to provide background for the development of an applied research policy.

# Ontario Quality of Working Life Centre

Dr. Hans van Beinum Executive Director

The Quality of Working Life (QWL) initiates, diffuses and supports QWL activities in joint union-management settings in Ontario by means of three program areas: consultation, education and information services.

In 1987/88, the centre's primary objective was to reposition itself and develop two sets of interdependent activities that focused on the emerging areas of new technology and health and safety. The type of consulting was therefore adjusted as the centre intensified its action research and diffusion orientation.

Two key projects in each of the emerging areas were developed:

New Technology

In 1987/88, the centre:

Redesigned a major electronic firm

Developed strategies for the redesign and introduction of new technology into a health-care funding organization.

Health and Safety

In 1987/88, the centre:

Assisted in the ongoing redesign of a large institution for the developmentally handicapped

Began work with a regional hospital.

#### **Education and Information Services**

In 1987/88, the centre's other program areas were revised to correspond with its changing focus. The centre:

Conducted two introductory seminars (with a focus on new technology and health and safety)

Ran a series of management-training sessions for one of the project organizations

Presented 10 workshops and seminars

Made 26 presentations to organizations in Ontario, other provinces and Europe

Provided over 2,600 articles and publications to the general public

Published the centre's news journal, *QWL Focus*, featuring articles on new technology and organizational choice.

## **Employment Equity Program**

#### Sheila Dann Program Manager

The program manager is a full-time position reporting to the deputy minister. The mandate of the program is to ensure equal employment opportunity in the ministry. The manager liaises with the Human Resources Branch and the Human Resources Secretariat.

The program manager provides a resource to branch directors in implementing employment equity initiatives and chairs a committee of branch representatives who relay employment equity information to ministry employees.

As a member of the Employment Equity Council, the program manager helps to guide the corporate Employment Equity Program.

#### 1987/88 Activities

In May 1987, the Employment Equity Program was expanded to include other designated groups — visible minorities, native people, persons who are disabled and francophones, as well as women.

At the start of the year, the program planned a number of hire/promotion targets and developmental assignments for members of the designated groups of the ministry.

Hire/promotion targets are determined by:

Underrepresented occupational groups in the ministry in which less than 30 per cent are women

The number of qualified persons to compete for the positions

The projected vacancies and the potential number of applicants

In 1987/88, the program's activities included:

Setting and meeting 28 targets in the following occupational groups: professional module, administrative module, technical module, maintenance services category, administrative services category, technical services category and scientific and professional services category

Increasing the representation of the designated groups in a number of modules and categories

Providing 89 women with development assignments. The three-month to one-year assignments were designed to qualify participants to compete for higher level positions or positions in traditionally male occupations

Working closely with the branch directors to enable them to meet their

branch employment equity commitments

Making presentations to the branch managers and to regional offices on the development of the program

Conducting personal career-counselling interviews

Maintaining an inventory of all female employees for the purpose of effectively monitoring hirings and promotions

Organizing three one— to three—day workshops, entitled 'Moving On', 'Financial Planning', and 'Personal Power and Self–Image', for all interested designated group members, and organizing one half–day seminar, entitled 'The Secret Life of Superwoman', for women in the ministry

Organizing three noon-hour presentations, entitled 'Broadening Your Horizons', in co-operation with the Human Resources Branch

Organizing, in April 1987, 'Personal Best,' the second conference for women from the regional offices. One representative from each regional office attended the three-day session held in Toronto

Representing the Ministry of Labour on the Employment Equity Council's Regional Delivery and Interministerial task forces

Organizing 'Breakfast with the Deputy', to enable some middle-management women of the ministry to discuss informally with the deputy minister issues related to their careers

Providing opportunities for senior-level women to attend four workshops co-ordinated by the Employment Equity Program managers

Publishing the ministry's Employment Equity quarterly newsletter, *Directions* 

Implementing a three-phase pilot project to introduce women into the underrepresented category of Occupational Health and Safety Inspector-2 in the Construction Health and Safety Branch. This year, five first-year female students from community colleges were hired under the Summer Student Program, and three students returned for their second summer's experience. Upon completion of their college certificate, two of the students were hired on a one-year contract with the ministry

Seconding to the inspectorate three female support staff members at regional offices of the Construction Health and Safety Branch. Two women have successfully won competitions for permanent jobs as occupational health and safety inspectors

Implementing a summer training program in the Health and Safety Support Services Branch, enabling one medical and five engineering female students to gain experience in the field of occupational health.

# **Legal Services Branch**

#### Judith Wolfson\* Director

The Legal Services Branch provides legal advice to the Ministry of Labour; drafts legislation and regulations; conducts prosecutions, hearings and appeals to enforce the ministry's legislation; acts in consultation with the ministry's branches on investigations into alleged breaches of the acts and regulations; and prepares contracts.

In 1987/88, the branch:

Assisted in drafting major pieces of legislation within the ministry's responsibility

Assisted in drafting 20 regulations under the major acts of the ministry

Received 640 files recommending prosecution under the *Occupational Health and Safety Act*. Branch lawyers attended 526 trials concerning health and safety matters and completed 287 cases, a significant increase from the 204 cases completed in 1986/87. Along with the carry–over of cases from the 1986/87 fiscal year, the branch carried in excess of 1,000 active cases at any one time

Received 78 requests to represent occupational health and safety inspectors in the appeal of their orders. This was the first full year in which the branch had total carriage of this mandate

Appeared as counsel for the ministry in 148 applications for review of Orders to Pay and section 51 hearings under the *Employment Standards Act* (a 12 per cent increase over 1986/87). The branch also received 108 new cases under this Act

Drafted and approved 144 contracts, 12 of which were complex computer

#### contracts

Expanded in size by five staff — two lawyers, one clerk and two secretaries — bringing the staff complement to 27. The increase in staff enabled the branch to better handle the increasing prosecution case load

Moved to the 25th floor at 400 University Avenue, enabling the branch to accommodate all its staff on one floor.

## Co-ordinator of French Language Services

#### Hélène Hunt\* Co-ordinator

The Office of the Co-ordinator of French Language Services provides consultation and advice to the deputy minister and senior ministry management in the implementation of the *French Language Services Act*. The co-ordinator also provides information to francophone groups of Ontario on ministry programs and services. The co-ordinator represents the ministry on the Council of Co-ordinators of French Language Services, chaired by the executive director of the Office of Francophone Affairs.

In 1987/88, the co-ordinator:

Advised the branches of the ministry and the boards and commissions on finalizing their individual French language services implementation plans

Prepared and costed the overall ministry plan and submitted it to the Office of Francophone Affairs

Prepared an internal communications strategy for French language services at the ministry

Started a series of briefing sessions for ministry management personnel.

<sup>\*</sup> Judith Wolfson was appointed director in October 1987.

<sup>\*</sup> Hélène Hunt was appointed co-ordinator on November 23, 1987.

# **Director of Appeals**

E. Smith\*

The Director of Appeals reports directly to the deputy minister and is responsible for hearing appeals from orders of decisions of inspectors under section 32 of the Occupational Health and Safety Act.

In 1987/88, 129 appeals were registered. The large majority were withdrawn or settled prior to hearing. Twenty-nine decisions were rendered during this period as a result of hearings.

## **Communications Branch**

#### Robert I. Cohen Director

The goal of the Communications Branch is to create and sustain awareness and understanding of the laws administered by the ministry and of its policies and programs. Communication materials are produced in English, French and third languages. The branch provides professional advice and program support to the minister, his deputy and senior officials through two avenues — news and information and communications planning and services.

Activities in 1987/88 included:

Responses to approximately 4,000 public telephone inquiries and requests for ministry publications

In consultation with relevant program areas produced 65 new brochures and publications, revised 37 others and reprinted 24; helped develop several slide presentations

Researched and wrote 50 speeches and 25 statements

Issued 50 news releases; answered approximately 2,300 new media inquiries

Published a corporate newsletter

Provided communications support for three task force reports on hours of work and overtime; mandatory retirement; vocational rehabilitation

Provided communications support for major policy initiatives for: greater protection for Ontario workers affected by layoffs and terminations; domestic employees; and occupational health and safety

Managed summer training program for journalism students placed with outside news media sponsors.

<sup>\*</sup> E. Smith was appointed director of appeals on November 2, 1987.

# Boards and Commissions

#### **Ontario Labour Relations Board**

R.S. Abella Chair T.A. Inniss\* Registrar

The Ontario Labour Relations Board is a quasi-judicial independent tribunal responsible for the administration of the *Labour Relations Act*. Under this Act, the board:

Certifies trade unions as collective bargaining agents for employees

Appoints officers to mediate complaints of contraventions of the Act, conducts hearings into complaints that are not settled and grants remedial orders where it finds that the Act has been contravened

Issues directions and declarations where unlawful strikes and lock-outs have occurred

Settles jurisdictional disputes arising from assignment of work

Accredits employers' organizations and employer bargaining agencies in the construction industry

Certifies employee bargaining agencies in the construction industry

Conducts arbitration hearings arising from grievances under construction industry collective agreements

Terminates bargaining rights

Directs the settlement of a first collective agreement by arbitration

Arbitrates the settlement of a first collective agreement

\* T.A. Innis was appointed registrar on February 1, 1988

Provides decisions for the minister relating to his authority to appoint conciliation officers or arbitrators.

In 1987/88 the board:

Received 3,583 new cases, an increase of six over 1986/87, including:

- 1,125 applications for certification
- 868 complaints of contravention of the Act
- 865 referrals of grievances under construction industry collective agreements.

Conducted 281 representation votes, an increase of 6.9 per cent over 1986/87

Assigned 2,230 cases to labour relations officers, who obtained settlements in 87 per cent of the assignments, an increase of two per cent over 1986/87

Reduced the number of cases awaiting decision over six months to .1 per cent of total case load

Increased the number of pre-hearing conferences chaired by adjudicators to further encourage settlement of disputes by the parties

Continued the implementation of an automated office and information system, including computerized case management.

Details of the activities of the board and its staff will be found in the board's 1987/88 annual report.

# Advisory Council on Occupational Health and Occupational Safety

Dr. D.R. McCalla Chairman Dr. C.J. Tuohy Vice-chairman

The Advisory Council on Occupational Health and Occupational Safety advises the Minister of Labour on matters relating to occupational health and safety that may be brought to its attention or referred to it. Membership of the council is drawn from management, labour and technical or professional persons and the public who are concerned with and have knowledge of occupational health and safety.

During the 1987/88 fiscal year, council submitted six advisory memoranda to the minister dealing with:

Biotechnology

Mandatory post-exposure medical examinations

Mandatory health surveillance

and with council's reviews of the process used by the ministry in the development of:

A proposed amendment to the Regulation respecting Mercury

A proposed designated substance regulation for silica in construction projects and aggregate production

A proposed designated substance regulation for formaldehyde.

Also during the year, council established task forces to consider issues regarding occupational health and safety education and training, and small business, and will be reporting to the minister on these and other matters in the coming year.

Council's advisory memoranda, the minister's responses and other correspondence and information with respect to council's activities may be found in council's Tenth Annual Report.

# Workers' Compensation Board

Robert G. Elgie, Q.C., M.D., F.R.C.S.(C) Chairman

The Workers' Compensation Board of Ontario, which operates out of 14 offices province-wide, including a Toronto head office, provides three fundamental services for Ontario's workers and employers. First, it adjudicates claims for work-related injuries and occupational diseases, and compensates workers for time lost from work and for permanent disability. Second, it furnishes injured workers with comprehensive health care and vocational rehabilitation services to assist in their recovery and return to gainful employment. Third, it pays for these services through the collection of funds from the province's employers.

During 1987/88, the board:

Successfully implemented a major reorganization of its structure and operations in order to improve services to its clients and to streamline the way it does business

Opened a fifth regional office in Ottawa and a prototype regional office in Windsor, resulting in a considerable increase in the volume of claims handled by regional offices

Established a series of Integrated Service Units (ISUs) within the Toronto head office, bringing together the claims and health care adjudication, medical and vocational rehabilitation functions in eight small, self-contained operation units, in order to provide more personal, responsive and efficient service to the board's clients

The year 1987 saw new claims across the province increase to 469,681. Of total claims:

44.6 per cent (209,255) were accepted as lost-time claims, involving time off work and compensation payments

47.2 per cent (221,729) were accepted as no-lost-time claims for accidents that necessitated health care treatment but no time off work beyond the day of the accident

6.3 per cent (29,570) were not accepted as claims in either category

1.9 per cent (9,127) were otherwise categorized (including withdrawn or pending claims)

During the year, the board:

Paid benefits totalling \$1,463,509,000

Collected \$1,932,203,000 in assessment income from the 196,000 employers in Ontario covered under Schedule 1 of the *Workers'*Compensation Act

Board vocational rehabilitation staff throughout Ontario were instrumental in:

Rehabilitating 6,156 injured workers during 1987

Returning 5,229 injured workers to work

Assisting 927 injured workers, who will not be returning to employment, in achieving financial self-sufficiency.

Further details of these developments, and of other board activities, may be found in the board's 1987 annual report,

which covers the fiscal year ending December 31, 1987.

# Workers' Compensation Appeals Tribunal

#### S. Ronald Ellis Chairman

The Workers' Compensation Appeals Tribunal (WCAT) is the final level of appeal to which workers and employers may bring Workers' Compensation Board (WCB) matters regarding entitlement to benefits, health care and vocational rehabilitation. It also decides appeals from WCB decisions on assessments, penalties and transfers of costs as well as disputes over employer access to workers' files and workers' objections to undergoing medical examinations requested by employers. In addition, the tribunal decides if a person has the right to sue in court instead of making a compensation claim. WCAT is an independent tribunal, separate and apart from WCB.

In 1987/88, the tribunal:

Issued Decision No. 915, on the subject of chronic pain (May 22, 1987). The decision was the culmination of the tribunal's Pension Assessment Appeals Leading Case strategy and followed 24 days of evidence and three days of submission from two parties, eight intervenors, the WCB and the tribunal's counsel

Trained 12 new full- or part-time panel members in hearings procedure and substantive legal and medical issues, and continued the education of existing members and staff

Held 1,215 hearings — 964 in Toronto and 251 in six regional centres around the province

Released 1,174 decisions, of which 278 were identified as significant, and disposed of another 585 cases without a hearing

Continued to increase its ability to provide services in the French language, receiving approval for its plan to implement the *French Language Services Act* 

Continued to recognize an institutional responsibility to assist the employer and worker communities in understanding the tribunal's role and operation, and accepted invitations to speak at conferences and meetings and participate in seminars and workshops

Added 1,700 records to its library's vertical file data base and organized its collection of Canadian, U.S. and British court cases dealing with workers' compensation issues

Published the first volume of the *Reporter*, a journal of the tribunal's significant decisions

Installed a computer to provide an automated office and information system

Worked towards the development of the computerized Case Management Program, which will be implemented as a pilot project

# **Industrial Disease Standards Panel**

Dr. James M. Ham Chairman

The Industrial Disease Standards Panel is a Schedule I Agency advising the Workers' Compensation Board of Ontario (WCB) on its investigations and findings of probable connection between disease and the workplace in the province, and on criteria and eligibility rules for the adjudication of claims for compensation respecting those industrial diseases.

In 1987/88, the panel:

Produced its Report of Findings on the relationship between occupational exposure to PCBs and various cancers. The panel:

- found a probable connection between liver, biliary tract and gall bladder cancers and occupational exposure to PCBs
- provided eligibility rules for the adjudication of claims respecting this industrial disease
- called for the establishment of a registry of PCB-exposed workers

Continued its review of the WCB's guidelines on lung cancer and Ontario uranium mining

Continued its study of the methodological issue referred to as the 'healthy worker effect'

Continued its study on the principles and procedures concerning the evaluation of claims for occupational diseases

Initiated a review of all the recommendations of the Royal Commission on Matters of Health and Safety Arising from the Use of

Asbestos in Ontario, concerning asbestos-related and other industrial diseases

Initiated a review of a reported excess incidence of cancer cases in a lamp-manufacturing plant

Continued its work to develop the panel's agenda, and:

• initiated a feasibility study concerning the development of an

occupational cancer data base using the Ontario Cancer Registry

• is drafting a set of questions on occupational health, possibly to be included in the first Ontario Health Status Survey.

Details of the panel's activities during its second year may be found in its 1987/88 annual report to the minister.

# Public Service Appeal Boards

T.E. Camacho\* Acting Secretary

The four statutory tribunals comprising the Public Service Appeal Boards function as independent quasi-judicial tribunals that oversee the labour relations of Ontario Crown employees.

# Ontario Public Service Labour Relations Tribunal

P.C. Picher Chairperson T.E. Camacho\*\*
Acting Registrar

The Ontario Public Service Labour Relations Tribunal administers the *Crown Employees Collective Bargaining Act*, and is empowered by the Act to appoint mediators and arbitrators and to adjudicate matters referred to it by government employers, employee organizations or employees, such as:

- representation rights
- unfair labour practices
- employee inclusion/exclusion from bargaining units

In 1987/88, the tribunal:

Established procedures for dealing more expeditiously with cases

Reduced the backlog of complaints and applications

Increased the use of labour relations officers to effect settlement of cases or reduce the issues in dispute.

# Crown Employees Grievance Settlement Board

O.B. Shime Chairperson

T.E. Camacho\* Acting Registrar

The Crown Employees Grievance Settlement Board is an independent agency responsible for the resolution of collective agreement disputes between the employer, trade unions and employees. It reports to the legislature through the Minister of Labour.

In 1987/88, the board:

Established procedures for dealing more expeditiously with cases

Increased its capacity to hold cases in different locations

Reduced the backlog of grievances

Introduced a pre-hearing process (new cases scheduled for hearing are assigned to grievance settlement officers prior to the hearing date).

<sup>\*</sup> T.E. Camacho was appointed acting secretary on February 1, 1988.

<sup>\*\*</sup>T.E. Camacho was appointed acting registrar on February 1, 1988.

<sup>\*</sup> T.E. Camacho was appointed acting registrar on February 1, 1988.

# Ontario Public Service Labour Relations Tribunal Statistics on Applications

	1987/88	1986/87
Filed Before March 31		
and Pending	123	68
Filed in Year	103	46
Appointments		
Investigator	52	34
Mediator	14	6
Arbitrator	8	2
Disposition		
Pending Before		
Investigator	6	6
Pending Before		
Arbitrator	7	2
Decision Issued/		
Arbitrator	3	1
Decision Issued/		
Tribunal	45	42
Awaiting Initial		
Hearing	37	5
Pending Before		
Tribunal in		
Hearing Stage	32	28
Pending Decision	6	3

# Crown Employees Grievance Settlement Board Statistics on Grievances

	1987/88	1986/87	Per Cent Increase
Carried Forward From			
Previous Fiscal Year	3,821	2,224	72.0
Filed in Year			
Dismissal	70	106	-34.0
Classification*	1,422	1,404	1.3
Policy	62	40	55.0
Other	1,059	1,223	-13.4
Total	2,613	2,773	-5.7
Hearings Scheduled	2,001	847	136.0
Cases Settled	1,740	979	77.7
Actual Hearings Held	558	294	90.0
Decisions Issued	323	197	64.0
Cases Pending as of End of			
Fiscal Year	4,371 **	3,821	14.4

<sup>\*</sup> Classification cases are not proceeding, by agreement of the parties.

<sup>\*\*</sup>Of which, 2,766 are classification cases.

## **Public Service Grievance Board**

G.G. Brent Chairperson T.E. Camacho\* Acting Secretary

The Public Service Grievance Board operates pursuant to the *Public Service Act* and is responsible for the adjudication of grievances concerning non-bargaining unit employees involving such matters as dismissal, working conditions and terms of employment.

# **Classification Rating Committees**

T.E. Camacho\*\*
Acting Secretary

Classification Rating Committees are designated by the chairman of the Civil Service Commission. Pursuant to Regulation 881 under the *Public Service Act*, committees are appointed to adjudicate classification grievances concerning non-bargaining unit employees.

#### Public Service Grievance Board Statistics on Grievances

	1987/88	1986/87
Tiled Defense Manuals 24		
Filed Before March 31		
and Pending	16	15
Filed in Year	24	15
Settled or Withdrawn	12	9
Decisions Issued	. 6	5
Cases Pending as of		
March 31	22	16

#### Classification Rating Committees Statistics on Grievances

1987/88	1986/87
10	5
10	11
5	2
0	4
15	10
	10 10 5 0

<sup>\*</sup> T.E. Camacho was appointed acting secretary on February 1, 1988.

<sup>\*\*</sup>T.E. Camacho was appointed acting secretary on February 1, 1988.

# **Pay Equity Commission**

#### Dr. George R. Podrebarac\* Commissioner

The Pay Equity Commission was created by Bill 154, the *Pay Equity Act*, which was proclaimed January 1, 1988.

The commission's mandate is to assist employers, employees and bargaining agents in achieving pay equity under the terms of the Act. As one of its first steps, the commission adopted the following Statement of Principles:

Pay equity, by removing gender-bias from pay practices, will contribute not just to fairer and consequently more productive workplaces, but also to the creation of a society which treats women and men equally.

Pay equity can be achieved. And it can best be achieved through the co-operation of those affected. The Pay Equity Commission will give these groups the support necessary to comply with Ontario's pay equity legislation: policy and research; information and education; and, if necessary, conciliation and appeal.

In accordance with the commission's overall strategy of achieving pay equity through self-management, great emphasis is placed on policy clarification and public education.

The commission consists of two parts: the Pay Equity Office and the Pay Equity Hearings Tribunal.

## Pay Equity Office

The Pay Equity Office itself is divided into three branches: Policy and Research, Information and Education Services, and Review Services.

The Policy and Research Branch is responsible for clarifying policy, developing implementation guidelines and conducting research, including a study of predominantly female workplaces, which is to be tabled January 1989.

The Information and Education Services Branch is responsible for public education, including: an extensive publishing program, workshops, seminars, town hall meetings, mass media advertising, telephone counselling, public and media relations, and other outreach activities.

The Review Services Branch will offer conciliation and mediation services, if needed, to employers, employees and bargaining agents.

In addition to staff in the three branches, the commission has the services of legal counsel and specialists in compensation.

# Pay Equity Hearings Tribunal

The Pay Equity Hearings Tribunal is an independent, quasi-judicial adjudicative body that will hear complaints and rule on appeals from affected groups. Chaired by Beth Symes, the tripartite tribunal consists of full-time and part-time vice-chairs as well as other members representing both employers and employees. All are appointed by the lieutenant-governor in council.

The tribunal will hear cases in panels of three: a member representing employers,

<sup>\*</sup> Dr. George R. Podrebarac was appointed commissioner on October 5, 1987.

a member representing employees and a panel chair.

1987/88 Activities of the Pay Equity Commission

During the first few months of its existence, the commission's activities have included:

Developing an organizational structure

Locating and equipping its premises

Recruiting and training professional and support staff

Designing research programs

Developing implementation guidelines

Responding to more than 3,000 telephone inquiries from the public to the commission's information hotline counsellors

Fulfilling dozens of requests for workshops, seminars and other presentations Launching a publications program, to include information kits, a newsletter and implementation guidelines

Developing a 30-hour pay equity training course in conjunction with community colleges

Planning town hall meetings, to take place across Ontario

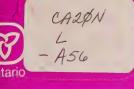
Developing a large mailing list to support a pro-active, outreach strategy

Consulting with key stakeholders to further the commission's philosophy that self-management is the key to achieving implementation of the legislation. Focus groups have been used intensively to ensure that the commission's work is in tune with the needs of affected groups.

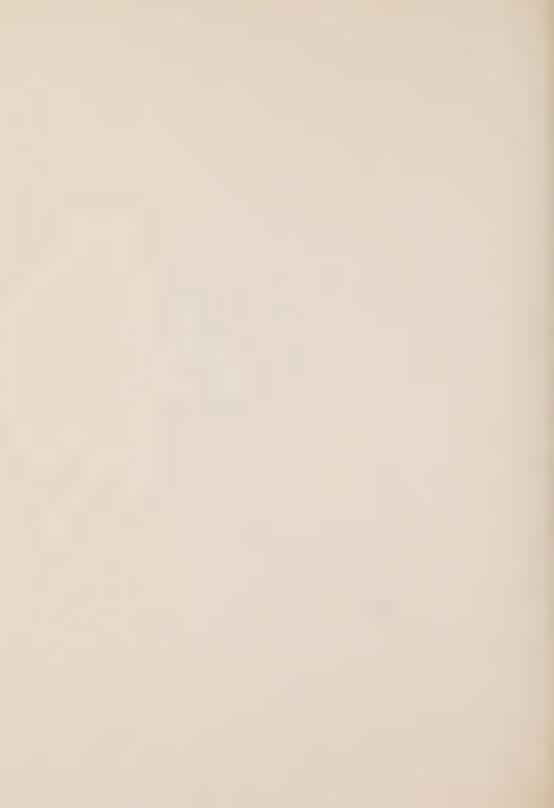
Details of the activities during its initial months will be found in the commission's 1988/89 annual report.







Ministry of Labour Annual Report 1988/89



# Ministry of Labour Annual Report 1988/89



Fiscal year ending March 31, 1989

ISSN 0318-4641





Ministère du Travail de l'Ontario

Office of the Minister

Bureau Ministre

400 University Avenue Toronto, Ontario M7A 1T7 416/965-4101

September, 1989

His Honour The Lieutenant-Governor in Council

May it please Your Honour:

I am pleased to present the 70th annual report of the Ministry of Labour, covering the financial year ending March 31, 1989.

The level of activity in all areas of the ministry's mandate was significant, most especially in the policy-development area as the government pressed ahead with its effort to refresh and renew Ontario's labour market legislation.

Through Bill 114, which was passed and granted assent by Your Honour, the Employment Standards Act was amended to make Boxing Day a public holiday and to strengthen the rights of retail workers to refuse unreasonable Sunday work.

In the area of workers' compensation, the ministry was involved extensively in the Assembly's consideration of Bill 162, a bill designed to make the workers' compensation system more equitable.

Progressive and far-reaching steps were taken in the field of occupational health and safety. The ministry was involved extensively in the implementation of the Workplace Hazardous Materials Information System (WHMIS), which came into effect across Canada on October 31, 1988.

The ministry prepared Bill 194, a bill to restrict smoking in the workplace. The first provincial legislation of its kind, the bill received first and second reading during the year.

The ministry also completed preparations for the introduction of Bill 208, which is designed to increase joint labour-management participation in workplace health and safety and to bring greater levels of safety education and training into the workplace.

it was a fruitful and progressive year. My thanks go to the ministry staff for their diligent effort and effective work.

The Honourable Gerry Phillips

Minister





Ontario Ministry of Labour Ministère du Travail de l'Ontario

Office of the Deputy Minister

Bureau du sous-ministre

400 University Avenue Toronto, Ontario M7A 1T7 416/965-4115

September, 1989

The Honourable Gerry Phillips Minister of Labour

Dear Mr. Phillips:

I am pleased to submit for your consideration the annual report of the Ontario Ministry of Labour for the 1988-89 financial year.

The year was an extremely active and productive one for the ministry in each of the legislative, policy and field services sectors of our work.

I wish to commend and thank our ministry staff for the energetic, creative and professional service that they provided during the year.

Respectfully submitted

George Thomson Deputy Minister



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Administered By

Crown Employees Grievance Settlement

Board and Ontario Public Service Labour

Relations Tribunal

Employment Standards

**Employment Standards** 

Employment Standards

Office of Arbitration

**Employment Standards** 

Labour Relations Board

Main Office

Occupational Health and

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Workers' Compensation Board

Workers' Compensation Board

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Government Contracts Hours and Wages Act

Hospital Labour Disputes

Arbitration Act

Industrial Standards Act

Labour Relations Act

Ministry of Labour Act

Occupational Health and

Safety Act

One Day's Rest in Seven Act

Pay Equity Act

Rights of Labour Act

Workers' Compensation Act

Workers' Compensation

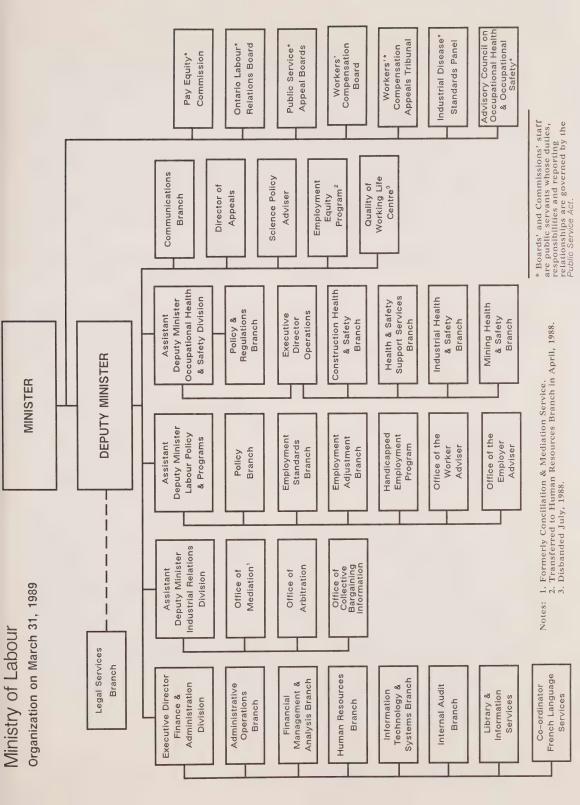
Insurance Act

Blind Workmen's Compensation Act

## Some Facts and Figures on the 1988/89 Year \*

Expenditures Number of Staff at March 31, 1989	\$119.4 million 1,570
industrial Relations	
Conciliations Undertaken	3,542
Number of Employees Affected	347,645
Mediations Undertaken Where	
No Work Stoppage Was Involved	812
Number of Employees Affected	148,169
Mediations Undertaken Where	1.477
Work Stoppage Was Involved	147
Number of Employees Affected	50,079
Employment Standards	
Number of Files Closed	18,397
Number of Collections Made	
on Behalf of Employees	11,427
Number of Employees Benefited	24,748
Amount Collected	\$18.9 million
Inquiries Handled	1,038,057
Occupational Health and Safety	
Inspections Conducted	79,420
Orders Issued	90,504
Stop-work Orders Issued	4,074
Prosecutions Undertaken	910
Chest X-rays Conducted	24,833
Pulmonary Function Tests Performed	23,770
Laboratory Analyses Done	83,028

<sup>\*</sup> The provincial laws administered by the Ontario Ministry of Labour and the agencies, boards and commissions that report to the Legislative Assembly through the Minister of Labour, cover approximately 4 million workers at approximately 241,000 workplaces in Ontario. Federal law covers the approximately 446,000 workers in Ontario who work in federally-regulated sectors.





## Industrial Relations Division

#### L.V. Pathe Assistant Deputy Minister

The role of the Industrial Relations Division is to promote harmonious relations between employers and employees in order to help ensure a stable labour relations climate in the province by:

Encouraging effective bargaining as contemplated by the *Labour Relations Act* 

Promoting peaceful settlements through conciliation and mediation services

Providing, where necessary, preventive mediation assistance to labour and management during the term of a collective agreement

Facilitating the processes of grievance and interest arbitration in accordance with the intention of the *Labour Relations Act* and the *Hospital Labour Disputes Arbitration Act* 

Collecting and analysing collective bargaining information for the use of the ministry and the industrial relations community.

The objective is pursued through Program Administration, the Office of Collective Bargaining Information (formerly the Research and Analysis Unit), the Office of Mediation (formerly the Ontario Conciliation and Mediation Service), and the Office of Arbitration.

The assistant deputy minister is responible for directing and co-ordinating the activities of the Industrial Relations Division.

# Labour Management Advisory Committee

The Labour Management Advisory Committee is responsible for advising the minister with respect to persons qualified to act as arbitrators and matters relating to the arbitration process.

# Construction Industry Advisory Board

The Construction Industry Advisory Board advises the minister of issues of common concern to labour and management in the construction industry.

# Office of Collective Bargaining Information

Catherine Winter L. Haywood Administrator Chief Economist

The Office of Collective Bargaining Information, an important resource for the labour–management community, collects, develops and provides information, data and analyses on collective agreements, negotiated wages and benefits, and a range of matters related to labour relations and collective bargaining. It also maintains an up–to–date file of all collective agreements covering Ontario employees for public and government use.

The office is equipped with an automated industrial relations information system (IRIS) to provide quick responses to a wide range of requests from labour, management and government for collective bargaining information.

#### In 1988/89:

The office responded to over 5,000 requests for information on collective bargaining

In addition to creating special reports, the office published regular reports, including:

• Collective Bargaining Settlements in Ontario (monthly).

Summarizes all settlements covering 200 employees or more

• Wage Developments in Collective Bargaining Settlements in Ontario (quarterly).

An analytical report, by industry sector, of wage developments emerging from settlements covering 200 employees or more

• Collective Bargaining Expirations (annual).

A report on the collective agreements scheduled to expire during the year

• Ontario Collective Bargaining Review (annual).

A review of collective bargaining developments, including a description of the economic climate in which the bargaining took place, and analyses of such features as the extent of bargaining and the duration of negotiations

• Work Stoppages by Industry in Ontario (monthly).

A report on strikes and lock-outs in the province

• Wages for Selected Occupations in the Ontario Construction Industry.

A report on wage rates for selected occupations in the industrial, commercial and institutional sector of the construction industry in Ontario.

#### Office of Mediation

# Romain C. Verheyen Director

The goal of the Office of Mediation, which operates under the Labour Relations Act, is to foster harmonious labour relations by promoting peaceful settlements of collective bargaining disputes through conciliation and mediation and by providing preventive mediation assistance to labour and management during the term of a collective agreement.

#### In 1988/89:

Conciliation officers disposed of 2,734 assignments compared to 2,880 the previous year

Remedial mediation dispositions totalled 808 assignments, of which, 133 involved a work stoppage

Mediators played a preventive role in 200 assignments compared to 149 assignments disposed of in 1987/88.

#### Conciliation Activity

	198	8/89	198	7/88
	Disputes	Employees	Disputes	Employees
Total Caseload:	3,542	347,645	3,560	473,707
Carried from Previous Year	680	70,514	637	65,431
Assigned to Officer During Year	2,862	277,131	2,923	408,276
Dispositions by Officers	2,734	299,984	2,880	403,193
Settled During Conciliation				
Construction	65	5,582	80	571
Non-construction	789	56,176	868	83,353
No Board				
Construction	378	60,154	299	14,412
Non-construction	1,261	153,894	1,380	285,848
Referred to Conciliation Board				
Construction	0	0	0	0
Non-construction	0	0	0	0
Lapsed or Withdrawn				
Construction	21	3,490	20	352
Non-construction	220	20,688	223	18,657
Assignments Pending at March 31	808	47,661	680	70,514

#### Preventive Mediation Activity

	1988	3/89	1987	7/88
	Situations	Employees	Situations	Employees
Assignments Received and Disposed of by Officers	200	21,176	217*	62,249

<sup>\* 149</sup> of these assignments were disposed of in fiscal 1987/88

Remedial Mediation Activity (p)	tion ,	Activity (p)		1988/89	68/8				1987/88			
	Total	al	No Sto Inv	No Work Stoppage Involved	Work Stoppage Involved	rk page ved	$ m T_0$	Total	No No Stop	No Work Stoppage Involved	W Stoj Inv	Work Stoppage Involved
Disputes	ıtes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees
Total Caseload	959	198,248	812	148,169	147	50,079	1,092	129,886	848	100,578	244	29,308
Carried From Previous Years	136	14,597	107	11,508	29	3,089	205	12,822	120	2,709	85	10,113
Assigned to Officers During Year	823	183,651	705	136,661	118	46,990	887	117,064	728	97,869	159	19,195
Dispositions	808	183,639	675	135,393	133	48,246	926	115,289	741	89,070	215	26,129
Settled Prior to Mediation	39	6,195	37	6,171	6	24						
Settled During Mediation	597	111,211	510	84,413	87	26,798	726	98,581	598	79,785	128	18,796
Settled Following Mediation	150	65,621	109	44,383	41	21,238	203	15,494	129	8,634	74	6,860
Arbitration	4	154	3	84	1	70	3	145	2	130	1	15
Lapsed	7	267	9	167	-	100	11	420	9	280	5	140
Closed by Mediator, No Further Action by Parties	tor, nn 11	191	10	175	1	16	13	649	9	241	7	408
Assignments Pending at March 31	151	14,609	137	, 12,776	14	1,833	136	14,597	107	11,508	29	3,089

#### Office of Arbitration

Jean M. Read Director

The Office of Arbitration assists the minister in carrying out his statutory responsibilities for constituting boards of arbitration and appointing single arbitrators under the Labour Relations Act and the Hospital Labour Disputes Arbitration Act. The office is responsible for the receipt and processing of requests from employers and trade unions for the appointment of arbitrators and nominees to boards of arbitration. This includes identifying individuals qualified to act under ministerial appointment, providing administrative services to arbitrators, monitoring the progress of arbitration proceedings and cataloguing arbitration awards for public availability. In association with the Minister of Labour's Labour-Management Advisory Committee, which advises the minister on matters pertaining to arbitration, the office maintains a roster of arbitrators and is actively involved in the training of prospective arbitrators. Through its staff of grievance mediators, the Office of Arbitration also provides labour and management with grievance mediation assistance.

The Office of Arbitration also has responsibility for co-ordinating appeals under the *Employment Standards Act*.

The complement for fiscal 1988/89 was 29, consisting of a director, 10 grievance mediators and 18 clerical and administrative staff.

In 1988/89, the Office of Arbitration's activities included:

The appointment by the minister, under section 40(a) of the *Labour Relations Act* and at the request of trade unions attempting to establish new collective

agreements, of three nominees to represent employers on boards of arbitration and four arbitrators to chair boards

The involvement of the minister in the appointment, under section 44 of the *Labour Relations Act*, of 293 arbitrators for parties experiencing difficulty establishing a board of arbitration under the terms of a collective agreement

Supplying, on 296 occasions, lists of five arbitrators at the request of parties to assist them to reach mutual agreement in the appointment of an arbitrator under section 44 of the *Labour Relations Act* 

The appointment by the minister, under section 44 of the *Labour Relations Act* and at the request of parties to a dispute, of one nominee to represent the other side on a board of arbitration

Providing, in 1,154 cases, the services of grievance mediators to parties proceeding to arbitration under the collective agreement. Of this number, 963 were resolved. The settlement rate in this area was 83 per cent

Receiving 3,237 requests for the appointment of single arbitrators under section 45 of the *Labour Relations Act*, of which, 1,712 appointments were made by the minister

Resolving 1,543 of 1,909 disputes under section 45 of the *Labour Relations Act* prior to hearing, for a settlement rate of 80 per cent

The involvement of the minister in the appointment, under the *Hospital Labour Disputes Arbitration Act*, of 92 arbitrators for parties in the health care field experiencing difficulties in establishing boards of arbitration to make or renew a collective agreement

Supplying, on 122 occasions, lists of five arbitrators at the request of parties

to assist them to reach mutual agreement in the appointment of an arbitrator under the *Hospital Labour Disputes Arbitration Act* 

The appointment by the minister, under the *Hospital Labour Disputes Arbitration Act* and at the request of parties to a dispute, of three nominees to represent the other side on a board of arbitration

The appointment, under the *Employment Standards Act*, of 187 referees through the Office of Arbitration to hear appeals against Orders to Pay issued by the Employment Standards Branch

Receiving and cataloguing 1,720 awards during fiscal 1988/89. Awards in the amount of 15,437 pages were purchased by the public

The case load of the Office of Arbitration is more particularly described in the two tables below.

	Total	1,736	4,164	4,631	1,269			2,379	00	538	2,077	21,914	
	ns Act S.45*	901	3,138	3,425	614			1,717	×	×	999	×	
	Relation S.44	494	582	740	336			392	4	410	1,136	×	
	Labour Relations Act S40(a) S.44 S.45*	0	4	3	₩			<del></del>	7	×	0	×	
1987/88	Hospital Labour Disputes Arb. Act	224	253	276	201			110	2	128	117	×	
	Human** Rights Bds. of Inquiry	39	64	69	34			59	×	×	63	×	Y
	Employ. Stds. Appeals	78	123	118	83			100	×	×	96	×	0 = NO ACTIVITY X = NOT APPLICABLE
	t S.45* Total	1,235	4,201	4,136	1,300			2,288	7	418	1,720	15,437	
	Act S.45*	614	3,237	3,300	551			1,712	×	×	561	×	LEGEND:
1988/89	Labour Relations Act	336	475	430	381			293	<b>—</b>	296	998	×	888
	Labour F S.40(a)	-	က	4	0			4	3	0	7	×	ution. Citizenship, April 1988
	Hospital Labour Disputes Arb. Act	201	258	203	256			92	n	122	133	×	itration. of Citizenshi
	Employ. Stds. Appeals	83	228	199	112			187	×	×	158	×	ievance arb to Ministry
		Applications/Requests: Carried Over From Previous Year	Received During Current Year	Closed	Outstanding at Year End	Breakdown of Activities:	Arbitrators/Referees	Appointed or Arranged	Nominees Appointed	Panels Provided	Awards Filed	Total Awards Purchased (# of Pages)	* Expedited grievance arbitration. ** Transferred to Ministry of Citize

Arbitration Activities

Me	di	atio	n A	ctiv	ities

	19	988/89			1987/88	
		Relations A	ct		Relations	
	S.44	S.45*	Total	S.44	S.45*	Total
Mediation Assignments:						
• carried over from						
previous year	146	101	247	165	14	179
• made during current year	1,325	1,901	3,226	967	1,801	2,768
<ul> <li>assignments completed</li> </ul>	1,154	1,909	3,063	986	1,714	2,700
assignments completed			2.71	110	101	
2	258	93	351	146	101	247
<ul> <li>assignments completed</li> <li>outstanding at year end</li> <li>mediation settlements</li> <li>percentage of settlements/</li> </ul>	258 963	93 1,543	2,506	799	1,216	247 2,015

<sup>\*</sup> Expedited grievance arbitration

## Occupational Health and Safety Division

T.J. (Tim) Millard Assistant Deputy Minister

Arthur Gladstone
Executive Director, Operations

The Occupational Health and Safety Division seeks to improve worker health and safety in Ontario workplaces by:

Identifying and reducing occupational risks

Providing an information, policy and legislative base that will facilitate and necessitate mutual and co-operative efforts of the workplace parties to reduce occupational health and safety risks

Advising, educating or training (as appropriate) all parties with respect to rights and responsibilities under the legislation.

#### 1988/89 Activities

The division administers the Occupational Health and Safety Act and regulations made under the Act for: construction projects; mines and mining plants; industrial establishments; teachers and university academics; X-ray safety; offshore oil and gas drilling; firefighters' protective equipment; the inventory of chemical or biological agents for the purpose of identifying new agents being manufactured, imported or distributed; and 12 regulations for the control of exposure to toxic substances that have been designated under section 41 of the Act.

The assistant deputy minister is responsible for broad policy issues, legislative initiatives, and external relations for the division.

The executive director, operations, is responsible for the delivery of services, operations policy and related administrative issues for the four line branches of the division.

The division was involved in the preparation and extensive consultations relating to the proposed amendments to the *Occupational Health and Safety Act*, Bill 208, introduced into the legislature for first reading in January 1989. In addition, Bill 194, smoking in the workplace, was introduced and received second reading in February 1989.

#### WHMIS Implementation Project

During 1988/89 the division took steps to prepare for and implement the national right-to-know legislation known as the Workplace Hazardous Materials Information System, or WHMIS. WHMIS is meant to ensure that employers and workers have the necessary information on the hazardous materials used in their workplaces. The system is implemented by complementary federal and provincial legislation. The federal Hazardous Products Act. Controlled Products Regulations and Hazardous Materials Information Review Act as well as Ontario's amended Occupational Health and Safety Act and WHMIS Regulation were all proclaimed on October 31, 1988 to signal the beginning of WHMIS. WHMIS consists of hazardous materials labelling,

the provision of material safety data sheets and the education and training of workers in the safe use and handling of these materials.

The WHMIS Implementation Project was initiated to ensure that all aspects of a comprehensive administrative and enforcement program consistent with existing policies and procedures were put into place.

In 1988/89, project staff, under the direction of an implementation co-ordinator:

Implemented a communications plan in consultation with the ministry's Communications Branch to ensure that affected suppliers, employers and workers were aware of the upcoming requirements of WHMIS. This included attendance at trade shows, seminars and conferences; newspaper advertising; ministerial press conferences; direct mailings and the creation of a WHMIS information centre, which handled over 15,000 telephone enquiries

Developed the various administrative and enforcement procedures as well as the computer systems to support them

Provided training for over 500 field staff, including inspectors, hygienists, doctors, technicians and management staff, on the essential elements of WHMIS and the procedures to be used in its enforcement

Provided funding for, and assisted the Occupational Health and Safety Education Authority in, the development and promotion of a comprehensive worker education program that is distributed and delivered by the various safety associations in the province and intended to help employers comply with the WHMIS legislation

Co-ordinated the development of Ontario's WHMIS Regulation consistent with the regulations adopted by other provinces

Participated in WHMIS co-ordination at a national level as a member of the Inter-jurisdictional WHMIS Co-ordination Committee, along with the other provincial regulators, Labour Canada and Consumer and Corporate Affairs Canada, the Canadian Labour Congress, the Canadian Chemical Producers' Association and the Canadian Manufacturers' Association

Supported division staff by providing information on WHMIS, communicating policy decisions and making available public speaking kits

# Areas Reporting to the Assistant Deputy Minister

Under the division's structure, two services and one unit report to the assistant deputy minister. These are the Information and Administrative Services Section, the Program Analysis and Evaluation Section, and the Prevention and Promotion Unit.

## Information and Administrative Services Section

The section provides the division with centralized services that include: co-ordination of systems development, support of existing line branch computer systems, word processing/desk top publishing, editing and publications control.

In 1988/89, this section:

Co-ordinated the Division Management Information System Study. Conducted

extensive Joint Application Development sessions with head office and field staff

Continued to provide support to the line branches by: maintaining the editing, coding and processing functions of Inspection Reports, Notice of Project; maintaining the Industrial, Construction and Mining Health And Safety Branches' filing systems; and providing information to the inspectorate for follow-up on inspections and investigations

Maintained 'WHMIS Notification System', which was developed for the Occupational Health And Safety Division to automate the registration of suppliers' notification of importation of controlled materials in compliance with section 23 of the Controlled Products Regulation

Continued to provide technical and administrative support to various units within the Occupational Health and Safety Division, the ministry and external task forces through the operation of a word processing/desk top publishing centre

Continued to edit, prepare, co-ordinate for publication and distribute all occupational health and safety materials for the division and external task forces, including the Act, regulations, guides, background documents, survey reports, etc.

Continued to maintain an Information Issues System by recording and distributing contentious issues relating to occupational hazards

## Program Analysis and Evaluation Services Section

In 1988/89, this section:

Co-ordinated the development and preparation of the 1989/90 estimates planning submission for the Occupational Health and Safety Division Provided ongoing advice and guidance to the assistant deputy minister and executive director on division financial planning strategies

Provided assistance to division branches for ongoing fiscal planning, budgeting and monitoring

Prepared and monitored budgets for special expenditures within the division

Developed and reported on the progress of base review plans in accordance with Management Board directives

Provided assistance to division directors by conducting analyses as requested

Prepared accommodation requirements for division head offices

#### Prevention and Promotion Unit

This unit comprises three areas: The Occupational Health and Safety Advisory Service, the Grants Administration Office (formerly the Advisory Service on Occupational Health and Safety) and the Division Training Unit. The Division Training Unit reports to the executive director, Operations.

Occupational Health and Safety Advisory
Service Section

The Occupational Health and Safety Advisory Service Section assists the minister in the matter of disputes concerning joint health and safety committees under section 8(14) of the Occupational Health and Safety Act.

The service also receives requests for assistance directly from the workplace parties and the inspectorate branches of the Occupational Health and Safety Division.

In the role of a neutral third party, the mediator/adviser assists to resolve labour

relations and health and safety disputes and to form or establish joint health and safety committees and health and safety programs. Terms of reference for the structure and functioning of committees are jointly developed and agreed upon. Participants in the program usually attend seminars designed to build teamwork, self-reliance and harmonious relationships within the group.

#### In 1988/89:

Ten disputes concerning joint health and safety committees under section 8(14) of the Act were mediated with settlements

Eight orders under section 8(3) were issued upon the joint request of the workplace parties to approve their joint health and safety committee organization and structure

One hundred and twenty-one joint training seminars with regard to the internal responsibility system and the *Occupational Health and Safety Act* were provided

In conjunction with the division's video unit, two training films were produced concerning the functioning of joint health and safety committees

The unit also provided technical, managerial/administrative assistance and co-ordination to the Workers' Compensation Board in the development and implementation of the Workwell Program under the *Workers' Compensation Act* 91(4) and 91(6).

Caseload	1988/89	1987/88
Cases Handled by		
Advisers	283	143
Carried Over from		
Previous Year	67	27
Cases Received and		
Completed	136	49
Cases Active at Year End	80	67

#### Division Training Unit

The Division Training Unit is responsible for planning, developing and delivering division—wide training programs and co-ordinating the development of branch training programs.

In 1988/89, the unit:

Developed a 2 1/2-day training program on WHMIS legislation and enforcement and began the development of a five-day training program on investigation skills

Trained 512 field staff and 170 members of other ministries in Workplace Hazardous Material Information System legislation and enforcement

Delivered to 28 new field staff training programs on division orientation, the *Occupational Health and Safety Act*, division policies and procedures and individual designated substances

Presented a four-day course on designated substance regulations to nine field staff

Continued training of health and safety co-ordinators from other ministries on the Occupational Health and Safety Act

Co-ordinated a five-day course on investigation skills for 24 field staff

Produced video training programs on roll-over protective structures, first reactions, joint health and safety committees, and inspectors at work along with four video communication programs dealing with both ministry and Occupational Health and Safety Division issues.

#### Grants Administration Office

The Grants Administration Office of the Prevention and Promotion Unit, formerly the Advisory Service on Occupational Health and Safety, continued to co-ordinate the allocation of transfer payment funds to organizations, institutions and individuals in support of manpower training and development in occupational health and safety, including the funding of applied research projects and the provision of student bursaries.

A close liaison has been maintained with the five Resource Centres for Occupational Health and Safety, the Ontario Centre for Ground Control at Cambrian College in Sudbury, the Lakeshore Area Multi-service Project (LAMP) occupational health and safety demonstration project co-funded with the Ministry of Health, and with other community-based information services in southern Ontario.

In addition, a representative participated extensively in ministry and interministry committee activities to promote and improve occupational health and safety in Ontario workplaces through awareness programs, information displays, student education, local joint health and safety committee activity and training initiatives.

#### Policy and Regulations Branch

#### Norm Shulman\* Director

The Policy and Regulations Branch, which reports to the assistant deputy minister, comprises five areas: the Health Studies Service, the Strategic Policy Unit, the Program Development Unit, the Safety Regulations Unit and the Compliance Reporting Service.

A major undertaking of the branch during 1988/89 was the development of amendments to the *Occupational Health* and *Safety Act*.

#### Health Studies Service

The Health Studies Service supports the programs of the Occupational Health and Safety Division and the provincial Ministry of the Environment. Upon request, support has also been provided to other ministries and agencies, e.g. Solicitor General, Housing, and Health; the Worker's Compensation Board and, co-operatively, to the Atomic Energy Control Board and various federal/provincial committees.

Support is supplied by the provision of advice on, and research into, conditions that could result in occupational and environmental health hazards.

In 1988/89, the service:

Participated in and provided technical support to the Joint Steering Committee on Hazardous Substances through membership on the Task Force on Health Surveillance and the Task Force on Exposure Values and Limits;

<sup>\*</sup> Norm Shulman was appointed director on June 14, 1988.

Undertook multi-disciplinary research and epidemiological studies of factors that contribute to occupational disease; the activities included;

- Phase Three of the study of the mortality of Ontario miners. This now involves 55,000 miners, of whom, 20,000 are uranium miners
- The completion of an epidemiological study of workers exposed to PCBs in a transformer manufacturing plant
- The completion of an epidemiological study of workers in a small steel plant
- The initiation of a study of mortality among workers in steel companies using electric ore furnaces
- An epidemiological study of workers using diesel equipment in salt mines
- The examination of the feasibility of conducting a study of the health of workers exposed to methylene chloride
- The preparation of recommendations for 45 ambient air quality guidelines for airborne chemicals for the Air Resources Branch of the Ministry of the Environment
- Providing advice on the risk to health of spills of toxic chemicals at a number of provincial sites
- Issuing an update of the health effects document on inorganic lead
- Participating with the Ministry of the Environment in assessing the health hazards of sewage treatment plant workers
- Assisting in setting up a study of indoor air quality in selected government offices being conducted

by the Centre for Indoor Air Quality Research of the University of Toronto

#### Participated as members of:

- The Air Quality Guidelines and Objectives Subcommittee of the Federal/Provincial Advisory Committee on Air Quality
- The Ministry of the Environment Multi Media Standard Committee on Lead
- The Interministerial Committee on AIDS
- The Standard Setting Subcommittee of the Air Resources Branch of the Ministry of the Environment
- The Interministerial Committee on Environmental and Economic Issues
- The Task Force on Science Policy of the Ministry of Labour
- The Interministry Criteria Clean-up Committee considering the decommissioning of two oil refineries
- The Ontario Pesticide Advisory Committee (OPAC)

#### Strategic Policy Unit

The Strategic Policy Unit identifies and develops strategic policies and priorities for the division and the development of division—wide policies. The unit is also responsible for performing statistical analyses on data bases relating to workplace injury and illness.

#### In 1988/89, the unit:

Participated in the development and passage of Bill 180, an Act to Amend the Occupational Health and Safety Act, to enable Ontario to implement the Workplace Hazardous Materials

Information System (WHMIS), also referred to as 'right-to-know'

Continued participation in the development of national policy relating to the implementation of WHMIS by:

- Participation in the tripartite pan-Canadian WHMIS Committee discussions and decisions
- Participation in the development and drafting of amendments to the federal Controlled Products Regulations
- Chairing of tripartite committee to finalize the Model OSH Regulation used by the Provinces, Territories and federal government to implement WHMIS at the workplace
- Revision to the Model OSH Policy document as required

Participated in the implementation of WHMIS in Ontario by:

- Participation in the development and passage of the Ontario WHMIS Regulation (O.Reg. 644/88)
- Preparation of WHMIS Regulations
- Development of 'Ontario Guide to WHMIS'
- Participation in training of ministry inspectors
- Membership in division committee to co-ordinate implementation policy
- Participation in the development of the WHMIS training package by the Occupational Health and Safety Education Program
- Presentation to client groups and continued response to enquiries from the public to increase awareness and understanding of WHMIS

Was the Ontario representative on the board of governors for the Hazardous Materials Information Commission to provide policy direction to the Hazardous Materials Information Review Commission (HMIRC)

Participated in the development of regulations respecting fees, rules of procedure for appeals and affected parties for the HMIRC

Participated in the development of policy relating to and implementation of community right-to-know by:

- Liaison with client groups concerning community right-toknow
- Chairing of interim ministry task force to develop regulations for inventory requirements and hazardous physical agents
- Participation in development and passage of O.Reg. 643/88
- Development of guideline on community right-to-know.

Participated in the development and introduction of Bill 208, to amend the Occupational Health and Safety Act

Participated in an interministry and multi-stakeholder group developing a Green Paper on Biotechnology

Prepared Report of the Agricultural Health and Safety Implementation Committee

Continued to participate in interministry committee on indoor air quality and in the writing of the final report

Prepared an inventory of back-care programs in Ontario, prepared a summary of legislated provisions on manual materials handling across Canada's jurisdictions, and participated

on a project to develop options on back injury reduction.

Participated in the development of material on occupational health to Premier's Council on Health Strategy

Prepared the Ontario government's response to two questionnaires from the International Labour Organization (ILO) relating to 1) occupational health and safety institutions, and 2) mining, and to ILO Convention 164 'Concerning Health Protection and Medical Care of Seafarers'

Acted as liaison between the Occupational Health and Safety Division and the Deputy Minister's Committee on Occupational and Environmental Health.

Ongoing review of policies and standards from other jurisdictions, including other Canadian jurisdictions, the United Kingdom, the United States, Sweden and Australia

Ongoing review of literature on occupational health and safety evaluation for present and future division programs

Attended conferences and workshops on topics and issues relating to occupational health and safety

Continued research and analysis of work-related injury statistics, extending the work injury information system

Responded to requests, both internal and external, for statistical data on occupational health and safety

#### Program Development Unit

The Program Development Unit consists of an economic analysis group and two teams of occupational health hazards analysts, working under project managers reporting to the manager.

The principal responsibilities of the health hazards analysts are to provide background information for, and to co-ordinate the development of, regulations for hazardous substances (including designated substance regulations). In addition, analysts develop guidebooks and data sheets to assist the inspectorate and the public in the implementation of the regulations. They also participate in the training of inspectors.

In 1988/89, the unit:

Continued work on the development of proposed amendments to the X-ray Safety Regulation, the Asbestos Regulation, and the Regulation of Asbestos on Construction Projects and in Buildings and Repair Operations

Continued work on proposed regulations for noise, silica on construction projects and in aggregate production, and on the following proposed regulations for the construction industry: coal tar products, chromium, isocyanates and lead

Published a background report on the use of beryllium in Ontario workplaces and an exposure assessment report on pentachlorophenol and tetrachlorophenol

Continued work on the development of draft guidelines for the safe handling of antineoplastic agents in biological safety cabinets

Continued to develop background information on epoxy resins, beryllium and chlorophenols

In association with representatives from the dental professions, continued to evaluate nitrous oxide exposure in dental offices

In association with the Construction Safety Association of Ontario, collected

background information on the control of exposure to noise, silica and chromium in the construction industry

Continued work on the development of educational material on safe work procedures to prevent undue exposure to wood dust and asbestos

Participated in the two tripartite committees established to develop two WHMIS regulations; one for an inventory of chemical agents and one for physical agents

Completed a review of the 1987 NIOSH Respirator Decision Logic document, prepared by the U.S. National Institute for Occupational Safety and Health. Initiated a study comparing the permissible exposure limits in the 1989 OSHA Air Contaminants final rule with the exposure limits set out in the Regulation respecting Control of Exposure to Biological or Chemical Agents (O.Reg. 654/86)

Delivered training sessions for newly hired inspectors on the designated substance regulations for asbestos, asbestos on construction projects and in buildings and repair operations, lead, mercury and isocyanates. Began work on the training of new inspectors on the designated substance regulations for vinyl chloride, acrylonitrile, arsenic, ethylene oxide, benzene, and silica

Prepared material safety data sheets for chromic acid, lead chromate, zinc chromate and trimellitic anhydride

Acted as secretary and provided administrative and technical support to the new bipartite Joint Steering Committee on Hazardous Substances in the Workplace. Prepared a brochure to inform the public about the joint steering committee. Prepared a detailed report on the provisions for medical examinations and tests in the designated substance regulations and in O.Reg. 654/86

Chaired and provided administrative and technical support to the Regulatory Framework and Classification Task Force of the Joint Steering Committee. Prepared five detailed reports at the request of the task force

Economic Analysis Section

The Economic Analysis Section participates in the policy and regulation–making process by providing information on compliance costs and benefits, and potential economic impact assessments of proposed regulations on affected industrial sectors.

In 1988/89, the section:

Reviewed and prepared comments on effluent monitoring regulations and supporting background documents prepared by the Ministry of the Environment under the MISA (Municipal Industrial Strategy for Abatement) program for water quality control

Produced detailed quarterly statistical analyses of labour market developments and economic conditions in Ontario and the possible relationship with trends in workplace injuries and illnesses

Continued to develop background information and collect statistics on the profile of small businesses in Ontario with a view to assessing the economic and financial impact of regulations on small businesses

Prepared preliminary estimates of WHMIS training costs and the overall economic assessment of implementing WHMIS in Ontario

Prepared estimates of the cost of compliance with proposed guidelines for the servicing and operation of biological safety cabinets and the potential economic impact on those sectors likely to be affected

Responded to a number of requests for frequently used data on workplace injuries and illnesses, injury frequency rates, economic and financial statistics, industry and firm data, and labour market information

#### Engineering Controls Section\*

Continued to conduct engineering field surveys to assess the ability of industry to control exposures to hazardous substances by means of engineering controls

Prepared draft guidelines for the handling of antineoplastic agents in biological safety cabinets

#### Safety Regulations Unit

The mission of the Safety Regulations Unit is to contribute to the division's goal of improving worker health and safety by:

Identifying priority safety hazards

Developing operational policies and procedures, and guidelines and regulations aimed at control of safety hazards

Facilitating the administration and assessment of division programs to secure compliance with regulations

This unit also co-ordinates the preparation of *On Site* 

In 1988/89, the unit:

Developed the Window Cleaning Regulation, guide and training package for inspectors, and assisted in the development of a Construction Safety Association of Ontario course for window cleaners

Developed the Roll-Over Protective Structures Regulation and guide

Completed a new regulation for workers engaged in the onshore drilling of oil and gas wells, and revised the offshore regulation

Published four editions of *On Site*, the internal newsletter

Participated in a federal/provincial committee struck to develop recommendations to improve worker health and safety in the fishing industry

Co-ordinated and chaired meetings of two tripartite committees to develop the inventory and hazardous physical agents regulations to complement the Workplace Hazardous Materials Information System regulation

Participated in the implementation of the Workplace Hazardous Materials Information System by developing the division's WHMIS Operations Manual of policies and procedures, and participated in the training of inspectors

Participated in an interministerial committee to determine strategy to improve seat belt use in Ontario

Held meetings with management and labour representatives and with line branches to make revisions to regulations addressing electrical hazards

Provided technical expertise regarding occupational health and safety control strategies and standards to the Agricultural Health and Safety Implementation Committee, line branches, CSA committees, the Ontario Fire Service Advisory Committee, the Ontario Police Health and Safety Committee and the public

<sup>\*</sup> In October 1988, the Engineering Controls Section was phased out as part of a branch reorganization

Continued to update the operations manuals for the Industrial, Construction and Mining Health and Safety branches

Participated in meetings with other government bodies such as the Ministry of Transportation (regarding railways), Labour Canada and the Canada Coast Guard (regarding dock and offshore operations), to achieve a practical consensus on jurisdictional divisions

Developed a refusal to work policy and procedure, and an after-hours reporting procedure

#### Compliance Reporting Service

The Compliance Reporting Service (CRS) evaluates the status of compliance with the *Occupational Health and Safety Act* by many companies receiving financial or other benefits from the Province.

The CRS acts as an information link between other branches of the ministry and these companies in order to improve preventive measures and to promote awareness of the Act and regulations. The CRS also examines compliance by these companies with other legislation administered by the ministry or its agencies, including the *Employment Standards Act* and the *Labour Relations Act*.

The CRS began operations in August 1987.

In 1988/89, the service:

Analysed or reviewed compliance performance by approximately 900 companies. These included about 700 recipients of Provincial loans or guarantees totalling approximately \$500 million

Improved compliance and improved internal responsibility systems have been noted by inspectors in most of these cases.

- About 400 operations were registered for inspection as a result of CRS evaluations
- About 200 companies were required to submit drawings of their proposed projects for review by the ministry's regional engineers

Has, since September 1988, exchanged information with the Ministry of Natural Resources regarding companies proposed each year for about 400 large commercial timber licences issued under the *Crown Timber Act*. Further policy development in this area is under discussion

Provided special reports to several ministries and agencies, including the Ministry of Industry, Trade and Technology, the Ministry of Energy and the Ontario Women's Directorate. The CRS incorporated the findings and recommendations of other branches of the Ministry of Labour and related agencies, including the Employment Adjustment Branch, the Employment Standards Branch and the Workers' Compensation Board

Researched health and safety contract compliance in other jurisdictions and contributed to discussions on methods of implementing contract compliance in the area of construction health and safety.

#### Health and Safety Support Services Branch

## Peter L. Pelmear, MD., FFOM, CCBOM Director

The objective of the Health and Safety Support Services Branch is to identify and reduce the risk of worker injury in the Ontario workplace through the contribution of expert knowledge on the recognition, evaluation and control of occupational health hazards.

The branch's journal, *Occupational Health in Ontario*, is published under the direction of an editorial board.

#### 1988/89 Activities

Branch staff contributed significantly on the Inter-ministerial Committee on Indoor Air Quality, the Inter-divisional committee on WHMIS, and in preparing background documentation for the task forces appointed by the Joint Steering Committee on Hazardous Substances.

#### Resource Service

The Resource Service is composed of the four specific units:

Technical Support, Toxicology, Statistics and Analysis, and Training and Staff Development. The service, through its four units:

Provides medical, scientific and technical guidance on occupational health and safety matters

Provides toxicological advice on chemical and biological agents

Processes the branch field investigation reports for data computerization, oversees processing of branch program delivery data and turnaround statistics, manages health and safety data base systems and provides statistical analyses and interpretation of health effects, exposure and engineering data

Co-ordinates human resource development and training programs for branch staff.

In addition, the Resource Service:

Identifies significant areas that require attention for field investigation, monitoring or research

Co-ordinates field research studies and promotes collaborative research with other agencies or organizations

Prepares and distributes to branch staff health and safety resource materials such as guidance notes and question/answer circulars

Provides advice and input concerning the development and formulation of regulatory strategies and policies for the identification, evaluation and control of chemical, physical and biological agents

Evaluates the notifications of new chemicals introduced in Ontario workplaces as required by section 21 of the Act (246 notifications in 1988/89).

# Sources of Resource Service Visit Requests — 1988/89 Carry-over from 1987/88 Industrial Health and Safety Branch

Construction Health and Safety Branch

Total	23
Total	23

19

#### Occupational Health Medical Service

#### Medical Consultants

The medical consultants work with the industrial, construction and mining inspectors, as well as with other members

of the branch, to investigate situations where health hazards may exist, to evaluate occupational health services and to advise on the establishment of medical surveillance programs. The physicians also act as consultants to the Workers' Compensation Board, hospitals and family physicians. During 1988/89, 830 field visits and 360 joint visits were carried out, and comments on 312 air quality reports were made.

#### Sources of Physicians Visit Requests Carry-over from 1987/88 236 189 Industrial Health and Safety Branch Health and Safety Support Services Branch 246 Construction Health and Safety Branch 5 Mining Health and Safety Branch Workers' Compensation Board 434 Other 20 Total 1,131

#### Nurse Consultants

The nurse consultants visit industries and institutions to audit designated substances medical surveillance programs, to promote occupational health programs where none exist, and to encourage the expansion and upgrading of existing programs.

During 1988/89, 934 field visits were made to audit and promote occupational health services or programs.

Sources of Nursing Consultant Visit Requests

Carry-over from 1987/88	99
Industrial Health and Safety Branch	59
Health and Safety Support Services Branch	872
Mining Health and Safety Branch	3
Other	37

#### Medical Service Chest Clinics

The Medical Service Chest Clinics continued to provide medical surveillance testing for workers through both mobile and stationary units and performed chest X-ray and pulmonary function investigations for compensation claimants in Ontario.

#### In 1988/89, the Chest Clinics:

Continued a survey for morbidity among Ontario sheet-metal workers as part of a larger international project

Completed a study on asthma among surgical rubber glove workers in association with staff from the Toronto General Hospital and with assistance from the Gage Research Institute

Provided teaching staff resources and facilities for the University of Toronto School of Continuing Studies' biannual course, 'Pulmonary Function Testing in Industry'

Presented to occupational chest physicians an ongoing Canada-wide quality control project for chest X-ray readers, using the International Labour Office Standards for classifying radiographs of pneumoconioses

Introduced mobile occupational health surveillance units in two Northern Ontario regions to provide service directly to mine sites

Improved laboratory and professional services for the detailed testing of workers under investigation for hand/arm vibration syndrome

Updated physicians within the Ministry of Labour on the revised American Thoracic Society standards for spirometry

Helped prepare occupational physicians for the Royal College of Physicians' (Canada) fellowship examination in occupational medicine.

Improved presentation facilities for the review of claimants to the Workers' Compensation Board for occupational lung disease

#### Chest X-ray Examinations

Chest X-ray examinations and forced expired spirometry were conducted, as required by regulations, for the surveillance of workers exposed to the designated substances, free silica and asbestos as well as to beryllium, hard metal, nepheline syenite and cadmium. This program was offered to support the work of examining physicians.

#### X-rays

Exposure Group	Number of Workers
Silica Mines	9,415
Silica Foundry	4,102
Silica Others	4,046
Asbestos	2,333
Asbestos and Silica (Combined) Others (Ex-workers and	1,309
WCB claimants)	3,628 *
Total Workers Examined	24,833

<sup>\*</sup> This number accounts for only 388 of the 604 claimants examined for evaluation by the Workers' Compensation Board.

#### **Pulmonary Function Tests**

Exposure Group		nber of rkers	Number of Abnormal Results	Percent of Total Tested
Silica Mines	S	9,151	299	3.3
Silica Found	dry	4,103	170	4.1
Silica Other	'S	4,065	159	3.9
Asbestos		2,925	188	6.4
Asbestos/Sil	lica	1,318	58	4.4
Others*		2,208	216	9.8
Total		23,770	1,090	5.3

<sup>\*</sup> This group consists of ex-workers and 388 of the 604 WCB claimants examined.

#### Silicosis

Diagnosis	Previously Reported	Newly Diagnosed	Total
Silicosis	53	11*	64
Complicated Silicosis	0	0	0
Total	53	. 11	64

<sup>\*</sup> Includes 9 from mines

#### Asbestosis

Radiological evidence of asbestosis was reported in 12 of the 3,642 asbestos exposed workers. Of these, three were newly diagnosed.

Exposure Group	Previously Reported	Newly Diagnosed	Total
Asbestos	6	2	8
Asbestos/Silica	3	1	4
Total	9	3	12

#### Chest Clinics Activities

	mber of Workers	Number of Chest X-rays	Number of Pulmonary Function Tests
Elliot Lake	1,684	1,684	1,688
Kirkland Lake*	954	954	880
Sudbury	4,487	4,487	3,341
Timmins	2,325	2,325	2,340
Thunder Bay*	1,787	1,787	1,669
Toronto	13,596	13,596	13,872
Total	24,833	24,833	23,770

\* Clinics closed. Numbers indicate tests performed by our mobile service and include films and tracings from outside sources in these areas that were forwarded to the Sudbury clinic for interpretation and reporting purposes.

#### **Summary**

Number of X-rays	24,833
Number of pulmonary function tests	23,770

Results and Findings	
New cases of Silicosis	11
New cases of Asbestosis	3
New cases of Dust Effects	34
New cases of Other pneumoconioses	1
Neoplasms	16
TB	7
Sarcoidosis	32

#### Occupational Health Hygiene Service

The primary activity of this service is to recognize, evaluate and ensure control of occupational health hazards. The service is responsible for evaluating and advising on the industrial hygiene, engineering and ergonomic aspects of occupational health problems. Within this service, field investigations are carried out by

occupational hygiene or ergonomic consultants.

During 1988/89, 1,886 hygiene field visits, 179 ergonomic field visits and 360 joint visits were carried out and comments on 953 air quality reports were provided.

Sources of Hygienist Visit Requests	
Carry-over from 1987/88	501
Industrial Health and Safety Branch	1,444
Health and Safety Support Services Branch	454
Construction Health and Safety Branch	79
Mining Health and Safety Branch	22
Workers' Compensation Board	20
Other	24
Total	2,544

Sources of Ergonomic Visit Requests	
Carry-over from 1987/88	42
Industrial Health and Safety Branch	137
Health and Safety Support Services Branch	47
Construction Health and Safety Branch	1
Mining Health and Safety Branch	1
Workers' Compensation Board	1
Other	9
Total	238
Total	238
Total  Sources of Joint Service Visit Requests	238
	39
Sources of Joint Service Visit Requests	
Sources of Joint Service Visit Requests  Carry-over from 1987/88	39
Sources of Joint Service Visit Requests  Carry-over from 1987/88 Industrial Health and Safety Branch	39
Sources of Joint Service Visit Requests  Carry-over from 1987/88 Industrial Health and Safety Branch Health and Safety Support Services Branch	39 188 92
Sources of Joint Service Visit Requests  Carry-over from 1987/88 Industrial Health and Safety Branch Health and Safety Support Services Branch Construction Health and Safety Branch	39 188 92 6

Total

352

#### Summary of Field Visits Requests

	Carry-over	New	
	1987/88	Requests	Outstanding
Physicians	236	895	112
Nurses	99	971	79
Hygienists	492	2,031	402
Ergonomists	42	196	49
Pre-Development Review	9	12	4
Resource Service	2	21	4
Radiation Protection Service	8	259	78
Occupational Health Technicians	334	1,230	305
Joint	39	313	27
Total	1,261	5,928	1,060

#### Occupational Health Laboratory Service

This service provides analytical and air sampling services for the ministry, clinical analyses for physicians and method development for future needs.

In 1988/89, the service:

Installed a computer system and changed operational procedures to utilize it fully

Completed a project on assessment of exposure to biological agents

Established a system to comply with WHMIS

Developed several analytical methods for hazardous substances

Maintained the quality assurance programs offered by:

- the Centres for Disease Control, Atlanta (monthly)—blood lead
- the Quebec Centre for Toxicology, Laval University (every two

months) blood lead and cadmium; urine cadmium, chromium, fluoride, mercury and arsenic

- the NIOSH Proficiency Analytical Testing Program (PAT) (quarterly) lead, cadmium and zinc on filters; assorted solvents on charcoal
- the Industrial Toxicology Laboratory, West Allis Memorial Hospital, Wisconsin (every six months) blood lead
- The College of American
   Pathologists (CAP) (quarterly) —
   blood lead
- continued the proficiency testing program for private laboratories

Sources of Environmental Assessment	S
Carry-over from 1987/88	334
Health and Safety Support Services Branch	1,230
Total	1,564

#### Summary of Environmental Assessments

Source	Carry-over 1987/88	New Requests	Cancel	Outstanding
Occupational Health Technicians	334	1,230	96	305

#### Number of Environment Assessments Completed = 1,187

Summary of Analyses	
Clinical Samples	40,441
Material Samples	3,144
Air Samples	30,174
Physical Agents	9,299
Total Number of Analyses	83,028
Samples Sent to	
Private Laboratories	
for Proficiency Testing	682

Analyses	Physical Agents	Air Samples	Material Samples	Clinical Samples	Total
Acrylonitrile	0	24	1	0	25
Arsenic	0	348	50	0	398
Asbestos	214	0	834	0	1,048
Benzene	0	141	19	571	731
Coke Oven Emissions	0	83	0	0	83
Cristobalite	0	47	0	0	47
Isocyanates	0	1,155	39	0	1,194
Lead	0	1,057	117	23,335	24,509
Mercury	0	9	8	3,196	3,213
Silica (Quartz)	0	889	172	0	1,061
Vinyl Chloride	0	43	1	0	44
Other	9,085	24,479	1,873	13,339	50,675
Total	9,299	30,174	3,114	40,441	83,028

Industrial Health and Safety Branch	228
Health and Safety Support Services Branch	587
Mining Health and Safety Branch	69
Construction Health and Safety Branch	47

#### Radiation Protection Service

The Radiation Protection Service is the primary source of expertise on all matters concerning exposure to radiation. It evaluates and inspects control measures in workplaces and provides assistance to other ministries and agencies on exposure of the public to radiation in the environment. The service also provides radioanalytical and technical support to other provincial agencies involved in radiation surveillance programs and health studies related to the exposure of the public to radioactive isotopes.

In 1988/89, the service:

Enforced the Regulation respecting X-ray Safety through the registration of new employers with X-ray sources (49), X-ray source plan reviews (79), and X-ray safety inspections (266)

Carried out a review and revision of the Regulation respecting X-ray Safety (Ontario Regulation 632/86) working through an inter-branch committee

Initiated decentralization of the operations of the ionizing radiation consultants responsible for X-ray safety

Co-operated with other provincial and federal agencies in ionizing radiation inspections in the workplace

Participated in a program with other agencies to calibrate radiation measuring instruments

Delivered training sessions on radiation safety, inspections and dosimetry

Inspected 124 workplaces throughout the province to investigate compliance with non-ionizing radiation guidelines and 123 workplaces to investigate compliance with environmental radiation guidelines. Measured exposure of workers to non-ionizing radiation from more than 180 industrial NIR-emitting devices (mostly RF sealers, induction heaters, lasers and microwave ovens)

Provided information and advice in response to 705 specific enquiries about non-ionizing radiation issues. Over half the enquiries (413) related to video display terminals. The balance was divided between optical, microwave, radiofrequency and low-frequency subjects

Provided measurements, advice and consultation to the public and federal, provincial and municipal agencies on the assessment of the risk from radon in houses and the workplace. Growing public concern about this issue resulted in numerous inquiries. At the request of the Ministry of Health, radon daughter measurements were carried out in 80 houses. This represents a significant increase over the previous year

Participated as the lead group of the Provincial Ingestion Monitoring Organization in nuclear contingency planning and the Fermi II nuclear reactor emergency exercise. Reviewed documents for government agencies and the International Atomic Energy Agency and continued surveillance of radiation levels around nuclear power stations

Participated with the Atomic Energy Control Board in joint compliance inspections of radioactive waste storage facilities and uranium mine tailings areas

Measured radiation levels and assessed

radiological risks associated with former uranium mine properties across Ontario

Continued development of new methods of measurement, evaluation of new instruments, equipment calibration and modification of special instruments

Members of staff participated actively on various national and international working groups and committees. Participated throughout the year in the quality assurance programs of the International Atomic Energy Agency, the U.S. Environmental Protection Agency and Health and Welfare Canada.

#### Sources of Radiation Protection Service Visits

Total	267
Other	7
Health and Safety Support Services Branch	232
Industrial Health and Safety Branch	20
Carry-over from 1987/88	8

#### Summary of Measurements by Sample

Type of Sample	Number of Measurements
Water	9,233
Air Filter	5,515
Air Filter Extracts	186
Urine	1,077
Swipes	388
Milk	751
Soil and Sediment	575
Precipitation	236
Tritium Cells	152
Radon Daughter Counting Equipme	ent 92
Foodstuff	24
Radioiodine Cartridges	25
Fish	30
Blood, Hair, Tissue	40
Miscellaneous	179
Total	18,503

### Summary of Radioanalytical Measurements

Type of Measurement	Number of Measurements
Lead	148
Radium	2,059
Strontium	408
Thorium	308
Tritium	1,754
Uranium	1,569
Gross Alpha	1,638
Gross Beta	6,445
Gamma	3,774
Other Radionuclides	400
Total	18,503

## Construction Health and Safety Branch

W.S. Melinyshyn, P.Eng Director

To promote joint efforts by workplace parties towards a healthful and safe occupational environment for Ontario's construction workers. The Construction Health and Safety Branch provides assistance to employers, contractors, supervisors and workers through inspections, consultations, investigations and enforcement.

In 1988/89, the branch:

Made 45,890 inspections

Issued 48,165 orders

Consolidated revisions to the Regulations for Construction Projects (the Regulations) for amendment

Undertook administration of new Regulations respecting Window Cleaning, Roll-Over Protection Systems (ROPS), and Workplace Hazardous Materials Information Systems (WHMIS), which were promulgated during the year

Initiated a Small Contractor/Public Awareness Program to inform construction contractors, home owners and the general public concerning their major responsibilities under the *Occupational Health and Safety Act* (the Act) and regulations

Through consultation, presentations and the issuance of Hazard Alert publications, informed the industry of potential hazards, and highlighted the technical aspects of the Act and the regulations

In close consultation with the Construction Health and Safety Association, the Provincial Building Trades Council, the Provincial Labour-Management Health and Safety Committee, and construction industry management, assisted in the development of WHMIS training modules for the construction industry work force

Continued implementation of its employment equity hiring strategies in recruiting inspectors, consistent with government strategies for renewal

Developed training modules related to enforcement of the Act and regulations, and implemented an extensive training program for new inspector recruits and existing operational staff

#### Inspection and Fatality Data

	1988/89	1987/88
Workers in the		
Work Force	309,800 *	305,000
Projects/		
Establishments	26,156	22,269
Accidents		
Investigated	1,355	1,377
Fatalities		
Investigated	41	39
Refusals to Work		
Investigated	1	1
Complaints		
Investigated	2,142	1,866
Inspections	45,890	39,790
Orders Issued	48,165	32,022
Stop-Work Orders		
Issued	2,321	1,507
Consultations	1,834**	2,079
Case Prosecutions		
(Part III Citations)	346	229***
(Part I Citations)	400	77
Convictions	27.4	100***
(Part III Citations)	274	192***
Fines	\$811,045	417,105

#### Notes:

- \* Total Labour Force
- \*\* Includes Engineering Consultations
- \*\*\* Part III Citations and Convictions were incorrectly reported in the 1987/88 Annual Report.

## Industrial Health and Safety Branch

V. Pakalnis, P.Eng\*
Director

The Industrial Health and Safety Branch serves all sectors covered under the *Occupational Health and Safety Act* (the Act), excluding construction and mining. This includes some 3.5 million workers in more than 150,000 workplaces. These workplaces are divided into 12 sectors: aerospace; automotive; education; electrical utilities; forestry; health care; manufacturing; petro–chemical; police, fire and security; public institutions; service, retail and communications; and steel.

Its mission is to reduce the risk of illness and injury in these workplaces. This is achieved through the administration and enforcement of the Act and Regulations for Industrial Establishments plus the various regulations related to toxic substances.

In addition to workplace inspections, the branch conducts investigations into deaths, critical injuries, serious accidents, work refusals and complaints. The engineering staff of the branch provides technical support and reviews drawings of all new industrial establishments to ensure compliance with the Act and regulations.

The branch has field staff located in 17 regional offices across the province and is served by approximately 154 occupational health and safety officers and 13 professional engineers. Headquarters is

located in Toronto, where administrative policy and administrative services are provided.

In 1988/89, the branch's activities included:

Conducting 29,119 inspections and issuing 37,961 orders, 1,657 of which were stop-work orders

Investigating 885 accidents, 50 of which involved fatalities and another 335 were of a critical nature

Investigating 610 work refusals

Investigating 1,523 complaints and handling 131,316 telephone enquiries

Engineering reviews of 3,108 sets of drawings for new establishments to ensure compliance with the Act

Engineering reviews of the structural safety of recreational arenas, finding 299 to be structurally adequate and actively in use; five arenas were ordered closed due to structural inadequacy. Repairs were required to correct structural deficiencies in 26 arenas

Participating in a special 'hot-line' centre, responding to thousands of telephone enquiries from the private and public sectors concerning the implementation of WHMIS programs in Ontario workplaces. Branch personnel also conducted presentations, distributed informative materials and consulted with workplace parties to provide maximum assistance to facilitate compliance with the legislation

Recruiting 13 new occupational health and safety officers and providing extensive training to provide new officers with the full range of knowledge and skills required to administer their duties

<sup>\*</sup> V. Pakalnis was appointed director on April 18, 1988.

Developing and presenting training programs to incumbent officers to enhance their existing knowledge and training

Employing 15 summer students to register 3,351 new workplaces and to inform the employers of the program and services provided by the branch and its support groups as well as to advise management and worker representatives of their responsibilities under the Act

Developing a communications strategy to improve internal and external communications. This included producing 'Inside the Act', a slide presentation designed to be used by staff for presentations on the legislation. The branch also participated in various trades shows, conferences and exhibits to answer questions from the public and to hand out literature on occupational health and safety

Researching and responding to freedom-of-information requests

Participating on committees to review and develop regulations and amendments to the Act and Regulations for Industrial Establishments

Continuing discussions with interested parties regarding the development of regulations to address unique hazards within health care facilities

Forming a tripartite committee, with representatives from the logging industry and the Ministry of Skills Development, to establish training standards and develop a modular training program and accreditation process to recognize the competence of skilled workers in logging and skidding operations

Working directly with labour and management representatives of the Ontario film industry to identify and address issues such as safe working procedures for special effects Continuing discussions with the labour and management representatives in fire services to address previous concerns and issues and formally establish a bipartite committee under section 11 of the Act

Consulting with representatives from the Industrial Accident Prevention Association and the Ministry of Industry, Trade and Technology to address issues and concerns that members of the small business community have with various aspects of the legislation

Addressing concerns regarding health hazards encountered in sewage treatment plants and forming a tripartite working group to deal with these issues

Reviewing the branch's field operation activities and providing recommendations for realignment of resources, including a review of inspection criteria, with emphasis on sector-specific strategies and enhancing pro-active activities on targetted workplaces

#### Inspection and Fatality Data

	1988/89	1987/88
Workers in the		
Work Force*	3,500,000	3,500,000
Projects/Establishments	150,000	150,00
Accidents Investigated	835	944
Fatalities	50	36
Refusals to Work		
Investigated	610	409
Complaints Investigated	1,523	1,467
Telephone Enquiries	131,316	85,903
Consultations	1,246	924
Appearances at Inquest		
or Trial	659	666
Other Investigations	3,440	3,040
Inspections	29,119	24,611
Orders Issued	37,961	28,494
Stop-Work Orders Issu	ed 1,657	1,135
Pre-development Revie		
(Plans Review)	3,108	3,362
Case Prosecutions	149	176
Convictions	102	110
Fines	\$460,550	\$397,982
Revenue	\$1,815,305	\$1,708,340

<sup>\*</sup> Updated work force figures — Source: Statistics Canada Labour Force Report and Employment, Earnings and Hours Report (December 1988).

#### Mining Health and Safety Branch

#### P.V. Kivisto, P.Eng\* Director

The objective of the Mining Health and Safety Branch is to reduce the risk of injury and illness to workers in Ontario mines and mining plants. The branch encourages employers and workers in the mining industry to achieve this goal by co-operative identification and control of health and safety hazards in workplaces.

The branch administers the *Occupational Health and Safety Act*, R.S.O. 1980, C.321, Regulation 694 as amended by O.Reg. 258/87 and the Regulations for Mines and Mining Plants, the designated substances regulations, and Regulation 633/86 for oil, gas and related industries offshore.

The branch's activities apply to 203 underground mines, 59 open-pit mines, 6,669 sand and gravel pits and quarries, 47 metallurgical and ore-processing plants and 59 clay, shale and peat workings.

In 1988/89, the branch's activities included:

Carrying out 4,411 site visits resulting in 4,378 orders, of which 96 were stop-work orders

Investigating all fatalities and publishing detailed reports of the investigations. During 1988/89, 19 fatalities were investigated, of which 13 were under the jurisdiction of the mining regulations

Investigating 17 work refusals. The branch staff also investigated

<sup>\*</sup> P.V. Kivisto was appointed director on June 23, 1988

complaints concerning unsafe or unhealthy conditions

Researching, analysing and preparing background information for the Mining Legislative Review Committee, covering the following areas: electricity, mine shaft hoisting, diesel exhaust measurements, arsenic, radon in non-uranium mines, loading pockets, misholes, worker inspectors, hours of work, shaft inspections, and chutes

Conducting 993 tests of ropes for wire ductility and rope strength at the Wire Rope Testing Laboratory

Conducting working environment surveys to determine worker exposure to dust, gases, arsenopyrite and fumes

Conducting pre-development reviews of new mining process technology, the use of new methods of construction and equipment installation, major alterations of mining techniques and technology, and major additions and alterations for compliance with the Act and regulations

Providing mine rescue training. During 1988/89, 898 men participated in the mine rescue training program and 35 seven-man teams competed in eight district mine rescue competitions. Mine rescue officers conducted 620 days of training. This total does not include extra district and provincial competition training or emergency assistance. There were 89 underground mine fires, nine of which required the services of mine rescue teams

Responding to and implementing recommendations made by the Standing Committee on Resources Development. The branch is currently working with labour and management from the mining sector to develop a training/communications package and an audit system on the Internal Responsibility System. A preliminary draft has already been circulated to the industry, with favorable results. Completion of the

final product is anticipated in the fall of 1989

Organizing co-operative research programs. The Ministry of Labour, through the Mining Health and Safety Branch, has entered into a number of co-operative research programs with the Federal Department of Energy, Mines and Resources (Canada Centre for Mineral and Energy Technology) and the United States Bureau of Mines. These initiatives include programs on: a) diesel emissions in underground mines; b) wire rope and hoisting technology; c) ground control; d) ceramic diesel exhaust filters; e) studies on the effects of extended hours of work

Publishing and widely distributing quarterly reports covering industry performance in such areas as incidents, accidents, fatalities, prosecution, work refusals, stop-work orders and hazard notices

Publishing special reports for distribution on subjects such as design and operation of loading pockets

Conducting 48 mine audits to evaluate the industry's ground control program and identify needed improvements

Establishing a computerized data base on falls of ground and rockbursts to identify trends in and causes of ground movement

Construction on the new headquarters of the Mining Health and Safety Branch, in Sudbury, began in September of 1988, with completion anticipated for the fall of 1990. In the meantime, the director's office has already relocated to Sudbury and has taken up temporary residence at 144 Pine Street

Insp	ection	and	Fatal	lity	Data
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	1988/89	1987/88
Mine Rescue Stations	8	8
Mine Rescue Substations	47	42
Miners Under Training		
in Mine Rescue	786	781
Wire Rope Tests	993	1,029
Revenue from Wire		
Rope Tests	\$268,800	\$230,578
Non-fatal Accidents		
Investigated	3,099	3,493
Fatalities Investigated	13	19
Refusals to Work Investiga	ated 17	17
Unusual Occurrences		
Reported	271	350
Hours Spent on		
Complaints Investigation	2,215	2,040
Pre-development Review	8,659	10,672
Inspection Reports	4,411	4,976
Orders Issued	4,378	5,195
Stop-work Orders	96	132
Prosecution Cases	15	12
Convictions	11	8
Fines	\$82,122	\$93,000

#### Industry Statistics

	1988/89		1987/88	
	Operations	Workers	Operations	Workers
Underground Mines	203	26,428	192	26,712
Open-pit Mines	59	3,328	63	2,440
Quarries	471	3,404	451	3,092
Clay and Shale Pits	28	401	29	477
Sand and Gravel Pits	6,173	7,698	6,068	7,184
Peat Workings	22	79	20	61
Brine Wells	1	_	1	_
Metallurgical Plants	33	6,847	31	6,186
Metallurgical Labs	14	614	15	554
Aggregate Plants	25	425	23	394
Diamond Drilling Operations	68	452	57	237
Offshore Rigs	8	36	8	35
Total	7,105	49,532	6,958	47,372

### Labour Policy and Programs

Peter Sadlier-Brown\* Assistant Deputy Minister

Arthur Gladstone,\*\*
Acting Executive Director, Labour Programs

The Assistant Deputy Minister of Labour Policy and Programs is responsible for the ministry's policy development activities and new legislative initiatives, and for monitoring existing programs and policies to determine their effectiveness. This monitoring includes overseeing the ministry's Policy Branch, which has a mandate to initiate, develop and co-ordinate policy activities as well as to co-ordinate and prepare ministerial correspondence and liaise with other ministries.

The assistant deputy minister is also responsible for the activities of the Employment Standards Branch, the Employment Adjustment Branch, the Handicapped Employment Program, the Office of the Employer Adviser and the Office of the Worker Adviser. Since November 1988, these five areas have reported to the Acting Executive Director, Labour Programs.

- Peter Sadlier-Brown moved to the Ministry of Intergovernmental Affairs November 7, 1989.
- \*\* Arthur Gladstone's appointment as acting executive director, Labour Programs, was effective November 16, 1988.

#### **Employment Standards Branch**

P. Dutton Director

The objective of the Employment Standards Branch is to ensure that people in the Ontario work force are protected with respect to minimum wage and working conditions through the active promotion of compliance and the enforcement of the following legislation:

The Employment Standards Act

The Industrial Standards Act

The Employment Agencies Act

The Fair Wage Schedules on contracts let by the provincial government.

Approximately 69 per cent of the branch's staff is based in regional offices located in Hamilton, Kitchener, London, Ottawa, Sudbury and Metropolitan Toronto, as well as in various sub-offices.

1988/89 Activities:

Employment Standards Act — General

The branch continues to face a heavy case load with most of its day-to-day activities related to servicing of complaints under the *Employment Standards Act*.

In 1989, the following new developments concerning the legislation occurred:

• The second phase report of the Donner Task Force on Hours of

Work and Overtime was tabled in April 1988 in the legislature

- The minimum wage was revised and the general rate was increased in October 1988 to \$4.75
- Under an amendment to the Act (Bill 114), retail employees were given the right to refuse Sunday work that they consider to be unreasonable and Boxing Day was also established as a public holiday
- Fair wage rates for all schedules were updated in June 1988, affecting 91 schedules

The branch saw, in 1988/89, workload impacts associated with key legislative changes that occurred in 1987/88. For example, the branch experienced a significant increase in severance pay files, resulting from the June 1987 amendments to the termination and severance pay standards. These are among the most complex and time consuming cases experienced by the branch. Overall, 19,492 new claims were registered and 18,312 claims resolved. Approximately 56 per cent of all field claims were handled within 60 days, and either resolved at that level or sent for further enforcement or appeal activity. As a result of the investigation activity of the branch, \$18,865,467 was collected on behalf of 24,572 employees

As a result of claim work load pressures, the branch completed a limited number of preventive routine investigations. However, officers have extended the scope of investigations where, in the course of investigating an individual claim, they become aware of potential violations involving other workers. In 1988/89, about 5,000 employees benefited from these extended investigations

Received over one million telephone, written and personal inquiries. One third of these were received by a taped message system. The remainder was handled by central telephone information services and the regional offices. There were 28,599 personal interviews with walk-in claimants

Distributed some 250,000 brochures (in French and English) to promote awareness of the *Employment Standards Act*. These included a 'Guide to the Employment Standards Act,' a brochure on employment standards for household domestics; a technical bulletin dealing with the 1987 notice and severance pay amendments to the Act, as well as a 'Guide to the Employment Agencies Act'.

Conducted 225 public education seminars. Participants included employer representatives, employees and students entering the work force

Special initiatives were provided for Chinese restaurant workers (in co-operation with the Chinese Restaurant Association) to ensure knowledge of, and information on, rights and responsibilities under the Act. These included the preparation of a brochure, a seminar in Toronto, a videotape of the seminar, radio and TV programs and a counselling service (in co-operation with University Settlement House) specifically for these workers

Invest	iga	tive	Acti	vitv

	Clair	n Files	Preventive	Inspections	Tot	al
	1988/89	1987/88	1988/89	1987/88	1988/89	1987/88
Workload:						
Pending from						
Prior Fiscal Year	2,449.0	2,677.0	_	-	2,449.0	2,677.0
Registered/Assigned	19,492.0	18,377.0	85.0	190.0	19,577.0	18,567.0
Total	21,941.0	21,054.0	85.0	190.0	22,026.0	21,244.0
Resolved/Conducted	18,312.0	18,301.0	85.0	190.0	18,397.0	18,491.0
Resolutions as % of Total Workload : Results: Number of	83.5	86.9	-	-	-	-
Collections	11,411.0	11,327.0	16.0	44.0	11,427.0	11,371.0
Employees Benefited Amount Collected	24,572.0	21,682.0	176.0	720.0	24,748.0	22,402.0
(\$000s)	18,865.4	10,276.5	21.7	267.1	18,887.1	10,543.6
Outstanding Files End						
of Fiscal Year	3,213.0	2,449.0	***	_	3,213.0	2,449.0

#### General Inquiry and Information Activity

• •		•
	1988/89	1987/88
Telephone Inquiries		
(Non-claim) Handled:		
by staff	633,704	660,864
by electronic message	373,046	358,633
Letter Inquiries (Non-cla	aim)	
Responded to	2,748	2,533
Personal Interviews		
Held	28,559	32,663
Total	1,038,057	1,054,693
Public Appearances and Employer Education		
Seminars Held	225	235

Collections by Standard (claims and preventative inspections)

	Amount Collected			No. of Collections		Employees Benefited Financially by	
	(\$000s)	(\$000s)	by Individua Standard			l Standard	
	1988/89	1987/88*	1988/89	1987/88*	1988/89	1987/88*	
Minimum Wage	52.6	82.3	182	261	394	443	
Overtime	1,762.9	1,508.7	1,396	1,344	4,037	4,638	
Public Holidays	320.6	267.7	573	651	2,077	1,943	
Vacation Pay	4,018.1	2,623.7	8,623	8,219	25,738	14,933	
Equal Pay for							
Equal Work	60.1	361.5	25	24	88	371	
Benefits	1.8	0.4	10	3	10	. 3	
Pregnancy Leave	23.5	36.9	13	18	13	18	
Lie Detector		6.6	_	1	_	1	
Termination Pay	3,166.5	1,966.9	2,567	2,293	5,000	2,865	
Benefits During							
Notice Period	5.7	2.9	12	5	12	5	
Severance Pay	6,460.4	1,165.6	138	51	2,143	290	
Collection of							
Unpaid Wages	3,012.4	2,509.5	5,755	5,696	8,111	7,002	
Fair Wage on							
Gov't Contracts	2.5	10.5	14	8	25	37	
Industrial Standards	0.0	0.2	1	1	1	3	
Total by Standards	18,887.2	10,543.4	19,309	18,575	47,649	32,552	

<sup>\*</sup> Revised.

Note: Number of collections and employees benefited financially by individual standard will always be more than actual branch total due to assessments under more than one standard.

Employment Standards Act Specific

#### Appeals and Hearings

The *Employment Standards Act* provides for a review of an order issued by an employment standards officer against an employer. The appeal is heard by a referee selected from a panel of referees appointed by the minister. In the 1988/89 fiscal year, 267 new applications for appeal were received.

The director may also appoint a referee to hold a hearing in situations where an employment standards officer has so recommended based on the opinion that an act has been committed or an agreement or arrangement has been made to defeat the purpose of the *Employment Standards Act*. In 1988/89, four cases were referred to a referee.

Should an employer fail to pay moneys owed under an Order to Pay issued by an employment standards officer, the director may issue a certificate to be filed in a court of competent jurisdiction. The certificate is then enforceable as a judgement or order of court, pursuant to section 54 of the Act. In the 1988/89 fiscal year, 259 such certificates were filed.

Any person who contravenes any provision of the *Employment Standards Act* may be prosecuted in provincial offences court; upon conviction, in addition to any

penalty imposed by the court, such a person may be ordered to pay to the director in trust the wages owed to the employees. Upon payment, the moneys will be distributed to the employees. In the 1988/89 fiscal year, the branch initiated prosecution action in 126 instances of non-compliance.

#### Permits and Approvals

The Employment Standards Act empowers the director to issue a permit authorizing hours of work in excess of eight hours in a day and 48 hours in a week. The director may also approve a regular workday of more than eight hours. In 1988/89, there was a notable increase in permit requests, largely due to general levels of economic activity as well as increased awareness of the Act's requirements. Before granting discretionary permits, the branch reviews special excess-hours permit requests with the company and, if a bargaining agent exists, the union. The posting of a director's notice explaining rights and obligations under the hours of work provisions was ordered in several establishments as a means of bringing about compliance.

#### Industrial Standards Act

The *Industrial Standards Act* provides a means for employers and employees jointly to establish a schedule of working conditions that reflects the prevailing labour standards in their industry. Once enacted, the provisions of a schedule become mandatory on all who perform work as defined in the industry definition.

Four schedules covering approximately 400 employers and 8,300 employees are administered: Ladies' Dress and Sportswear Industry; Ladies' Cloak and Suit Industry; Men's and Boys' Clothing Industry; and the Fur Industry. The

schedules are enforced by advisory committees comprising management and labour representatives who are knowledgeable and active in the specific industry sector. The Men's and Boys' Clothing schedule was amended in 1988/89.

#### Employment Agencies Act

The Employment Agencies Act is intended to provide protection to job applicants from unjust practices when they use 'permanent' employment agencies to assist them in finding work. Agencies are required to apply for and receive the appropriate licence before doing any placement activity. The four classes of licences specify occupational categories, and clients and/or applicants are required to pay a placement fee. An agency can hold only one class of licence.

#### Fair Wage on Government Contracts

The Fair Wage on Government Contracts program is designed to ensure that workers engaged on contracts awarded by government ministries for construction, building-cleaning and security projects and on municipal road-building projects have a means to obtain the minimum standard of wages, hours of work and overtime pay provisions that prevail for their work classification in the area where it is performed.

Contractors, when bidding on government contracts, also receive a measure of protection from unfair competition based on reduced labour costs.

Wage rates are reviewed each year and adjusted, when required, on the basis of industry settlements, consumer price index and consultation with industry.

The fair wage rates for all schedules were increased on June 15, 1988. The job classification for a cleaner in the

building-cleaning industry was amended to remove an anomaly that may have allowed employers to maintain an inappropriate wage differential between male and female cleaners.

The minister also announced that a comprehensive review of the program would be undertaken by the Ministry of Labour within two years.

#### Agricultural Industry Advisory Committee

This committee advises the minister on matters relating to the application of employment standards legislation to agricultural workers and on the development and modification of employment standards appropriate to the agricultural industry. The committee is composed of representatives of farm owners and farm workers, who meet as needed.

	1988/89	1987/8
Pending from Prior		
Fiscal Year	148	120
Intake	267	193
Results:		
Order Confirmed	115	49
Employer Upheld	17	16
Other Varied	15	19
Settled Before Hearing	98	81
Total	245	165
Outstanding End of		
Fiscal Year	170	148

Prosecutions Finalized

Section 54 Certificates Filed

9

228

259

#### Hearings (Section 51) 1988/89 1987/88 Pending from Prior Fiscal Year 13 4 Initiated Results: Employer Found in Violation 2 Employer Found in Compliance 1 Settled Outside of Hearing 5 Total 4 8 Outstanding End of Fiscal Year 13 13 Permits/Approvals

19	988/89	1987/88
Total Excess Hours Permits	722	570
100 Hour	401	373
Special	321	197
Homeworker Permits	78	93
Averaging Approvals	150	105
Section 18 Approvals	285	270

Employment	Agency	Licences
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	Initial		Renewal		Total	
Class	1988/89	1987/88	1988/89	1987/88	1988/89	1987/88
A	315	237	891	802	1,206	1,039
В	2	2	7	7	9	9
С	3	1	2	1	5	2
D	6	10	21	11	27	21
Total	326	250	921	821	1,247	1,071
Revenue (\$)					245,950	211,800

#### Fair Wage Schedules

	Nun	nber	Value	(\$)
	1988/89	1987/88	1988/89	1987/88
Schedules Included in Contracts Let by Provincial Ministries				
Construction	474	588	260,109,228	334,187,188
Building Cleaning and Security	161	142	5,942,349	12,197,793
Total	635	730	266,051,577	346,384,981
Schedules Updated	91	0	N/A	N/A

#### Industrial Standards

1988/89	1987/8
4	4
1	_
400	400
8,300	8,300
	4 1 400

#### **Employment Adjustment Branch**

### Harry N. Shardlow Director

The role of the Employment Adjustment Branch is to provide consultative assistance and adjustment services in plant closure and mass layoff situations.

In 1988/89, the number of closures and reduced operations remained high, along with the number of employees affected by them.

The number of employee counselling programs, however, decreased because of the increase in 1) the private sector out-placement agencies used in closure situations, and 2) the funding of special groups to provide assistance to displaced workers in various sectors of the province.

In 1988/89, the branch's activities included:

Monitoring large-scale cutbacks and closures in Ontario.

Providing appropriate information and expertise to employers and employees and their representatives, government, community groups and other interested parties regarding the applicability of the *Employment Standards Act* and the legalities of sudden loss of employment

Mediating potential disputes between client groups so that official complaints under the Act are minimized

Providing statistical information to approximately 150 users in government and the private sector

Producing monthly reports on permanent and indefinite layoffs in Ontario

Participating in adjustment committees established by the federal government and the private sector

Establishing and monitoring adjustment programs to assist workers displaced in

closures and downsizing

Conducted research on displaced workers who are non-participants of adjustment programs

Providing expertise on adjustment issues to governments, employers, unions and voluntary organizations and to professionals in the field who assist displaced workers

	1988/89	1987/88
Termination Cases (At least 50 Employees)		
Cases:		
Full Closures	58	61
Partial Closures	15	9
Reduced Operations	25	25
Total	98	95
Employees:		
Full Closures	6,915	10,573
Partial Closures	1,962	1,010
Reduced Operations	3,473	4,037
Total	12,350	15,620
Industrial Adjustment Co	mmittees	
	1988/89	1987/88
Committees Established Employees Terminated in Cases Where Committees	64	55
Established	10,745	7,025
Financial Commitment	\$76,130	\$46,150
Employee Counselling Pro	oram	
Limpioyee Counselling 110		
	1988/89	1987/88
Programs Established Employees	22	35

#### Handicapped Employment Program

#### Sandra Carpenter\* Manager

The Handicapped Employment Program (HEP) promotes employment equity for people with disabilities.

It provides specific services as well as general information to employers, job-seekers with disabilities, communities and associations.

In 1988/89, the program accomplished the following:

#### Services to Employers

Participated in the founding of the Toronto Employment Equity Practitioners Association (TEEPA), which sponsored a seminar on employment equity for people with disabilities

Presented four Attitude Awareness seminars in English and French for the Department of Justice, Ottawa

Conducted Physical Demands Analysis (PDA) and Attitude Awareness seminars for 23 ministries of the provincial government

Initiated a provincial conference, 'Linking for Employment', sponsored by HEP, CEIC and the Personnel Association of Ontario, attended by 250 employment/placement counsellors for persons with disabilities from across the province. A provincial steering committee of employment/placement counsellors was struck at the conference to develop both local networks and a provincial organization that will provide professional training and networking as well as a forum for issues related to the hiring of persons

Sandra Carpenter was appointed manager on January 9, 1989.

with disabilities. To date, three local networks of employment placement counsellors have been formed, and a second conference is planned for the fall of 1989

Provided employment equity consulting services to 77 employer clients as well as ongoing information services to 398 employer contacts

Delivered 66 training seminars to employers from a mix of companies (about 2,646 people attended these seminars)

Provided 42 employers with 51 Summer Experience '88 students to assist with their employment equity programs

Sponsored, facilitated or attended 53 seminars, conferences or other events

#### Services to Job-Seekers

Reprinted *PROFiLE*, a role model magazine, and *Taking Aim: Job Search Strategies for People with Disabilities* available in English/French, in print or on audio cassette. Total distribution to key target audiences across Ontario now exceeds 28,300 for *PROFiLE* and 14,800 for *Taking Aim* 

Developed a joint pilot proposal, 'Role Models for Employment', with the Centre for Independent Living, Toronto (CILT) and the University of Toronto

Advised, in person, 245 job-seekers with disabilities and gave specific résumé advice to 88

#### Services to Other Sectors

In recognition of the essential linkages needed to increase job opportunities for people with disabilities, HEP:

Continued to network and develop initiatives with:

• 31 vocational/rehabilitation organizations

- 26 government agencies
- 26 educational groups
- 12 labour organizations
- 18 consumer or self-help groups

Participated in 'Vision 2000' as members of one of six major study groups convened to review the mandate of Ontario's systems of Colleges of Applied Arts and Technology

Gave a grant to the Ontario Federation of Labour (OFL) for research/writing of an employment equity guide with a trade union focus

Sponsored, facilitated or attended 54 conferences, seminars or other events

Services to Communities

In providing consultation and support to various community initiatives, HEP:

Continued links and developments in 24 communities province wide, including participation in community councils and planning committees

Provided 25 organizations in communities across Ontario with Summer Experience '88 students to work on a wide variety of projects designed to increase employment opportunities for people with disabilities

Sponsored, facilitated or attended 24 seminars, conferences or other events

Provided staffed information displays at 12 events

Information Services

HEP provided the following information services across Ontario:

Published, in the French language, an employer series of seven companion booklets and brochures about specific disabilities and how to locate, hire, accommodate and make the workplace accessible to, people with disabilities

Distributed over 14,000 brochures and resource materials to representatives of all sectors, in addition to 4,800 copies of *Taking Aim: Job Search Strategies for People with Disabilities* and 9,300 copies of *PROFILE* 

Gave out thousands of promotional buttons, bookmarks, brochures, posters, carrier bags and other promotional materials at conferences, workshops, seminars and trade shows

Responded to over 5,200 telephone enquiries related to resources, referral and problem-solving

#### **Policy Branch**

Nicholas Ignatieff Acting Director

The Policy Branch provides the minister, senior ministry officials and the government with information, analysis and advice to assist and enable the ministry and government to develop policy positions, legislation and programs in the following areas:

Terms and conditions of employment

Industrial relations, rights and other legislative programs

Occupational health and safety and workers' compensation

In 1988/89, the branch:

Developed Bill 114, An Act to Protect Workers Regarding Sunday Work

Developed Bill 162, An Act to amend the Workers' Compensation Act

Developed Bill 194, An Act to Restrict Smoking in the Workplace

Assisted in the development of Bill 102 (WHMIS) and Bill 208 on general reform of the Occupational Health and Safety Act

Prepared background materials and co-ordinated the establishment of an advisory group on a Green Paper on further workers' compensation reform

Conducted a review of the minimum wage

Participated in various interministerial committees on pension reform

Represented the ministry in various Canadian Association of Administrators or Labour Legislation (CAALL) committees, and participated in numerous public meetings to explain ministry policies and legislation

Provided staff support to the implementation committee reviewing the Task Force Report on Health and Safety in Agriculture

Co-authored, with the Ministry of Skills Development, a paper on labour adjustment policy, which was presented to the Advisory Council on Adjustment, chaired by Jean de Grandpre

Participated in various interministerial committees dealing with such labour market issues as immigration, demographics and labour adjustment

Represented the ministry on the review panel for applications to the Premier's Council Technology Fund

Conducted consultations with external organizations on the Phase II recommendations of the Task Force on

Hours of Work and Overtime (the Donner Task Force)

Consulted with the Ministry of Community and Social Services on a new wage policy for persons with disabilities

Participated in federal–provincial discussions regarding various labour issues

In conjunction with the Communications Branch, the Ontario Women's Directorate and the Ministry of Citizenship, consulted with community representatives and began a project to provide information about workplace rights and responsibilities in plain English and in a number of third languages

Represented the ministry on interministerial committees concerning sexual assault, provision of interpreter services

Monitored legal cases under the *Charter* of *Rights and Freedoms* to ensure conformity of ministry legislation

Consulted with various labour and management groups concerning the Employment Standards Act, the Labour Relations Act, the Crown Employees Collective Bargaining Act and the Hospital Labour Disputes Arbitration Act

Provided advice to the minister with respect to the implementation of the Freedom of Information Act

Participated in ministerial committee on Freedom of Information

Advised the minister concerning implementation of pay equity.

#### Office of the Worker Adviser

#### Odoardo Di Santo Director

The Office of the Worker Adviser (OWA) serves Ontario's injured workers by assisting with all aspects of the workers' compensation process. Under section 86q of the *Workers' Compensation Act*, the office has a broad mandate, which includes five key elements:

- To advise injured workers of their rights under the *Workers' Compensation Act*, so that they will be able to represent themselves within the workers' compensation system
- To represent injured workers at all levels of the Workers' Compensation Board, at the Appeals Tribunal, and beyond the tribunal where applicable
- To work with labour and injured worker groups, MPPs and other organizations representing injured workers as an information resource and to support them in their own representation work
- To identify operational problems in the workers' compensation system that may require changes to policies or procedures under existing legislation
- To advise the Minister of Labour regarding workers' compensation legislative initiatives

OWA has four advisory units, comprising 12 regional offices across Ontario, to provide service to injured workers in their respective geographic areas:

- Toronto Region Advisory Unit offices in downtown Toronto and Scarborough, as well as at the Downsview Rehabilitation Centre
- West Toronto and Niagara Region Advisory Unit — offices in Weston and Hamilton

- Central Region Advisory Unit offices in Kitchener, London, Ottawa and Windsor
- Northern Region Advisory Unit offices in Sault Ste. Marie, Sudbury, Timmins and Thunder Bay

There is also a Special Services Unit, which conducts and co-ordinates the ongoing legislative interpretation of the *Workers' Compensation Act*, carries out medical and legal research on specific complex issues and is responsible for the internal and external workers' compensation training.

#### 1988/89 Activities

Client demand experienced strong growth during 1988/89, and the total case load figure for this period was 20,803, a 28 per cent increase over last year's figure of 15,073. An integral part of this dramatic rise in the total case load was the increase in new services to injured workers. During this period OWA staff response to new requests for service doubled over the previous year. This increased response can be attributed in part to the successful implementation of a new early intervention policy, which offers short-term assistance to injured workers.

Other steps taken to deal with strong client demand included:

- Development of case priorization criteria, which will significantly reduce waiting time for injured workers who meet the criteria
- Completion of plans to establish a new office in Mississauga, which will reduce case load pressures at the Weston and Toronto offices

#### Training and Outreach

OWA continued to provide training to external workers' representatives, such as unions and MPPs, in order to encourage and support their assistance to injured workers. In this regard, the office:

- Delivered over 30 training and outreach sessions to external representatives
- Completed a province-wide training program for MPP constituency assistants
- Published and distributed 'A Caseworkers' Guide to Workers' Compensation', as well as self-help material in six languages

#### Policy Initiatives

From the outset, OWA has attempted not only to advise and represent workers but to analyse its case experiences with a view to improving the workers' compensation system as a whole. In this regard, the office took the following steps:

- Continued to seek resolution to as many recurring problems as possible on a systemic basis in order to avoid the need for costly appeals. To this end, OWA worked with the WCB, WCAT and the Office of the Employer Adviser. As well, ongoing consultation was maintained with injured worker and labour organizations in order to reflect their concerns
- Actively participated in the development of a chronic pain policy by the WCB. At the WCB, OWA made submissions in response to the board's chronic pain policy. OWA also represented 10 workers in the board's s.86n review of tribunal decisions on chronic pain

- compensation for temporary disability. These reviews are ongoing
- Studied various aspects of WCAT procedures, with a view to simplifying them. These views were presented at a special meeting of the WCAT advisory group in April 1988. In January 1989, revised WCAT procedures were introduced

#### Other Initiatives

Additional OWA initiatives at the WCAT included leading cases on occupational stress, work-related heart attacks, the WCAT/Ombudsman and the earnings basis for compensation benefits. Additional OWA initiatives at the WCB included submissions on the board's vocational and medical rehabilitation strategies and asbestos disease adjudication policies.

### Distribution of Cases over Type of Services Provided

	1988/89
Cases Pending	
Brought Forward	3,172
Representation Cases	
Brought Forward	3,863
Total Cases	
Brought Forward	7,035
New Cases	13,768
Total Cases	20,803
Advisory Cases Completed	10,092
Representation Cases Completed	4,126
Total Cases Completed	14,218
Representation Cases Still Open a	t
End of Year	3,399
Cases Pending	3,186
Total Cases Handled	20,803

#### Office of the Employer Adviser

Jason E. Mandlowitz Director

The Office of the Employer Adviser (OEA) provides Ontario employers with advisory services on matters relating to workers' compensation problems. Through training sessions, seminars and publications the OEA positions employers to become self-reliant in the management of workers' compensation claims. The OEA also advocates policy on behalf of employers by communicating their concerns and recommendations to the proper administrative authorities.

The OEA is a free service available to Ontario employers, whose budget is charged back directly to the Workers' Compensation Board (WCB).

In 1988/89 the OEA:

Responded to 5,600 inquiries from employers as new clients. Of these contacts, 1,600 resulted in subsequent OEA involvement

Participated as representative and/or adviser in 250 hearings at the WCB and the Workers' Compensation Appeals Tribunal (WCAT)

Advised over 850 employers in one-to-one meetings

Undertook 100 technical workshops for employers. Of these, 26 were organized by the OEA in 11 cities. Fifty-six workshops were convened for firms and 18 workshops for business associates in 26 cities

Undertook 111 speaking engagements in 20 cities

Serviced a total of 13,000 employers through the advisory services and training programs Consolidated a publications list, which includes three brochures, six information bulletins, one employer manual and seven policy papers, all available in French

Conducted, through an external consultant, a study of OEA market penetration and service delivery

Undertook consultative meetings with 125 employers in seven cities on issues of WCB reform

Made submission to the WCB on:

- · vocational rehabilitation
- employer health and safety demerits: section 91(4)
- hearing loss policy
- chronic pain disorder
- relationship between cancer and PCBs

Held party status at the WCB board of directors' review (section 86n) of WCAT Decision 72

Petitioned the WCB on policy matters such as:

- funeral expenses
- cost apportionment for industrial disease
- good samaritan policy
- · incarcerated workers
- · serious and wilful misconduct
- successor companies

Appeared before the Standing Committee on Resources Development during review of the 1986 WCB annual report

Held intervenor status on WCAT leading cases, including chronic pain policy and payment retroactivity

#### **OEA** Activity

	A Head Office	B Regional Services	Total
New Employer			
Contacts	2,154	3,400	5,594
New Files Opened	397	1,208	1,605
Hearings - Advise	d		
or Represented	76	175	251
Employer Meetings	248	605	853
Workshops	38	62	100
Workshops			
(Employer			
Attending)	694	1,948	2,642
External Events	52	59	111
External Events (Employer			
Attending)	2,670	2,053	4,723

A Head Office in Toronto

B Regional Offices in Windsor, Kitchener, Hamilton, Sudbury and Ottawa

### Finance and Administration Division

#### F. Peters\* Executive Director

The Finance and Administration Division is responsible for providing administrative support for the operating divisions of the ministry in the areas of financial management and analysis, administrative operations, internal audit, library and information services, human resources, and information technology and systems. The division also provides specialized support services to the ministry in the administration of the Freedom of Information and Personal Privacy Act, 1987. In addition, the executive director of Finance and Administration provides administrative support to the Communications Branch and the Co-ordinator, French Language Services, which report to the deputy minister for program purposes.

# Financial Management and Analysis Branch

#### L. Petterson\* Director

The objective of the Financial Management and Analysis Branch is to ensure that there are highly effective and efficient financial management, planning, reporting evaluation and control systems in place within the Ministry of Labour to support the attainment of ministry objectives and the government's goal of effective control of expenditure, revenue collection and results.

The branch administers the ministry's accounts payable, accounts receivable, payroll and related employee benefits systems. It is also responsible for the financial planning and budgeting activities of the Ministry of Labour.

In 1988/89, the branch:

Developed and implemented a ministry base review policy and plan

Developed corporate financial systems to improve financial reporting capability to central agencies and enhance the ministry's controllership responsibilities

Developed an integrated resource management system to ensure that a comprehensive approach is taken to the ministry's program planning and resource allocation process

Undertook a comprehensive review and update of financial policies and procedures. Streamlined financial processing methods and conducted a major rewrite of operating procedures in order to achieve efficiencies and improve services to clients

<sup>\*</sup> F. Peters was appointed executive director on August 2, 1988.

<sup>\*</sup> L. Petterson was appointed director on December 6, 1988.

1988/89 Summary of Ministry Expenditures, Revenue and Funds

Ex	General penditure (\$000s)	General Revenue (\$000s)	Trust Funds (\$000s)
Ministry			
Administratio	n 24,073	52	-
Industrial			
Relations	10,238	31	-
Occupational			
Health and			
Safety	55,165	11,967	-
Employment			
Standards	9,727	378	-
Pay Equity			
Commission	5,141	_	_
Labour Relation			
Board	8,020	71	-
WCAP	7,017	7,837	-
Credits	_		526
Total	119,381	20,336	526

#### **Human Resources Branch**

#### N.E. Mayne Director

The Human Resources Branch provides consultative and administrative functions to the Ministry of Labour in the areas of staffing; compensation; staff relations; human resources planning and development, including training; benefits; health and safety and the related processing and records maintenance functions.

The branch operates under the authority of the *Public Service Act* and regulations, the *Crown Employees Collective Bargaining Act* and the Collective Agreement, and is responsible for their administration.

In 1988/89, the branch's activities included:

#### Staffing

Administering 326 recruitment competitions throughout Ontario, with significant activity in areas such as the Information Technology and Systems Branch, the Occupational Health and Safety Division, the Pay Equity Commission, the Employment Standards Branch and the Labour Policy Division

Recruiting for Special Programs, which resulted in placements for 248 participants

Summer Experience '88 Students	132
Summer Students - Ministry Paid	24
Students Training in	
Industrial Relations	33
Ontario-Quebec Job Exchange Program	09
'Futures' Youth Employment	01
Post-Secondary Field Placements	0.5
Post-Secondary Co-operative	
Education	09
Secondary School Co-operative	
Students	16
Rehab/Assessment Work Stations	13
Ontario Public Service Interns	05
Extern Student	01

#### Total 248

#### Compensation

Updating, evaluating and classifying positions in the ministry and its boards, agencies and commissions, including the Pay Equity Commission and the Workers' Compensation Appeals Tribunal

Updating and monitoring organization charts on all branches where, for example, new positions are added or titles and reporting relationships are changed, etc.

Supporting reorganizations in such areas as: the Ontario Labour Relations Board, the Construction Health and Safety Branch, the Industrial Relations Division and the Office of Collective Bargaining Information

Updating, revising and/or developing new class standards: workers' compensation adviser and occupational hygienists

Providing ongoing advice and consultation to managers, supervisors and senior officials on compensation matters

Preparing Physical Demands Analysis (PDA) forms for all positions in the ministry

Co-ordinating classification grievances

#### Staff Relations

Recruited a staff relations officer to prepare and present cases before a grievance settlement board

Teaching staff relations training courses (2–3 days) to all first line supervisory staff in the ministry. Approximately 200–250 supervisors to be enrolled

Co-ordinating the activities of the 22 employee relations committees around the province

Attending, as a member of the ministry, the Corporate Employee Relations Committee

Providing ongoing advice and consultation to all levels of management on staff relations issues, ensuring the maintenance of effective employer/employee relations

Continuing to administer the *Public Service Act*, the *Crown Employees Collective Bargaining Act* and the

Collective Agreement as they relate to staff relations issues

Developing staff relations policies for the ministry based on case law, past practice, etc.

Handling all grievances through the various steps of the grievance procedure

Maintaining an effective liaison with ministry bargaining unit employees through their OPSEU elected representatives

Human Resources Planning and Development

The Human Resources Planning and Development Section is responsible for the integration of ministry human resources planning, staff development, employment equity and automation of the human resource functions in the ministry.

In 1988/89, the section was responsible for:

Preparation of the 1987/88 Strategies for Renewal Annual Report

Consolidation of the action plans for strategies for renewal and employment equity for the ministry and preparation of the report for 1988/89/90

Monitoring branches in the implementation of their action plans and providing advice and assistance where requested

Monitoring the Voluntary Exit Opportunities (VEO) program

Preparing background papers and draft policies for Human Resources. During 1988/89, policies were approved for:

- Harassment
- Acquired Immune Deficiency Syndrome

- Payment of professional membership fees
- · Payment of relocation expenses

Preparation of a paper on alternative work arrangements, which is to be used as the basis for development of policies that encourage more flexible work conditions

Co-ordinating the development and installation of an automated system to track applicants for recruitment

Developing a number of programs and data bases for the personal computer to provide reporting capabilities for both the ministry and the central agencies

Providing employment equity counselling, training and information

Developing a new performance management system

Developing and revising new training programs in:

- · Ethics and values
- Ministry orientation
- Performance problems and substance abuse
- · Customer service

Initiating a new four-ministry management training program

#### Benefits

Continuing to advise employees on the benefits package, relocation expenses, the Public Service Superannuation Fund and *Ontario Pension Benefits Act*, 1987

Providing employees with advice and interpretation regarding the Voluntary Exit Opportunities (VEO) program

Monitoring extended absences and liaising with employee counselling

services relating to the Short Term Sickness Plan, the Long Term Income Protection Plan, work stations and rehabilitative employment

Co-ordinating the ministry's annual retirement seminar and other special programs

#### Health and Safety

The health and safety co-ordinator is responsible for developing and delivering new health and safety programs and for maintaining those programs already in place for ministry employees. In 1988–89, the co-ordinator's activities included:

Development and implementation of a WHMIS compliance program for the ministry. This included the compiling of a Hazardous Materials Inventory, development of appropriate workplace labelling for hazardous materials, collection and distribution of MSDSs to over 90 ministry workplaces and development and delivery of training to approximately 1,600 ministry employees

Implementation of the Ontario Public Service (OPS) Smoking Policy for all ministry workplaces

Management of Workers' Compensation Board claims and appeals. There were 47 WCB claims in the 1988/89 fiscal year

Liaison with the 22 local joint health and safety committees (JHSC) in the ministry and with the Corporate JHSC. This included consultation with the committees in the development of the WHMIS training program for employees

Participation in orientation sessions for new employees

Promotion of increased health and safety awareness among supervisors and employees through distribution of information and employee training.

# Information Technology and Systems Branch

Ron Brittain\* Director

To enable the effective and efficient delivery of Ministry of Labour programs in keeping with government legislation and policy through the provision of information technology and systems.

The branch provides the following services: information technology and systems planning; systems prototyping, development and maintenance; information technology services; and facilities operations and support services.

In 1988/89, the branch's activities included:

Continued improvements and expansion of a ministry correspondence management system

Completion of a telecommunications planning study

Completion of a user requirements document for new integrated financial information system

Implementation of telecommunications links with 13 remote ministry field offices including: Sudbury; 101 and 81 Resources Rd; 880 Bay St; 123 Edward St; 180 Dundas Street W.; 10 King Street E.

Acquisition and implementation of office systems (including hardware, software and training) for the Ministry Library and Information Services, the Financial Management and Analysis Branch, the Human Resources Branch and the Administrative Operations Branch

Analysis, design, development and implementation of PC-based applications including:

- Applicant Tracking Human Resources
- Hansard Library and Information Services
- FOI Freedom of Information Office
- Prosecution and Fatalities Tracking
   Occupational Health and Safety
- WHMIS Notification System Occupational Health and Safety

Migration of Medical Surveillance System (MESU) from MGS to ministry minicomputer

Completion of business/data model for Occupational Health and Safety Division (OHSD)

Completion of user requirements document for OHSD Registration System

Implementation of Office of Arbitration Case Management System

Migration of Office of Collective Bargaining System (IRIS) from MGS to ministry minicomputer

Completion of analysis and design of Legal Services File Tracking System

<sup>\*</sup> Ron Brittain was appointed director in February 1989.

# Administrative Operations Branch

#### R.R. Hogarth Director

The head office staff of the Administrative Operations Branch provide records management, central purchasing, accommodation, telecommunication, reproduction, mail, stockroom and transportation services to the ministry's program groups.

In 1988/89 the branch's activities included:

Negotiating for and co-ordinating additional facilities or relocations to respond to the expanded operations of the ministry's branches, boards and commissions both at head office and field locations. These include the Employment Standards Branch, the Office of the Worker Adviser, the Office of the Employer Adviser and several district offices

Initiating and co-ordinating improved telephone systems for the ministry

Preparing a business case and acquiring computers to perform automated forms design and compiling of statistics for a records management data base

Revising ministry forms in accordance with the requirements of freedom of information and protection of individual privacy legislation

Procuring equipment, supplies and services on behalf of the ministry. The total amount was \$15 million. Purchases ranged from sophisticated technical equipment required by the Occupational Health and Safety Division to replenishments for the ministry's central stockroom. The number of requisitions processed and purchase orders issued increased by 23 per cent over 1987/88.

## Ongoing Activities of the Administrative Operations Branch 1988/89

Copy Centre Per month	n (average)
Average Number	
of Impressions	1,400,000
Stockroom Per month	(average)
Shipments Received	246
Items Supplied to Program Areas	1,600
Purchasing	
Requisitions Processed	5,320
Purchase Orders Issued	2,870
Tenders Processed	29
Miscellaneous Recquisitions Processed	865
Records Management	
Schedule Implementation	Cubic feet
I and the December Transferred	Cubic rect
Inactive Records Transferred to the Records Centre	2,044
Destruction of Obsolete Records	2,044
from Records Centre	842
Destruction of Obsolete Records	
from Ministry	1,107
Archival Records Transferred to	
Archivist of Ontario	32
Forms Management	
Review of Forms	313
Analysis and Design of New Forms	85
Analysis and Design of Revised Forms	286
Reprinting of Forms with No Graphic Changes	700
Elimination of Obsolete Forms	396
	390
Accomodations and Assets	
Relocation Projects Completed	15
Telephone Related Projects	100
Accomodations Alterations Projects	25

30

Data Cabling Installations

Negotiations were completed with respect to improved accommodations for 20 per cent of Ministry of Labour staff

Proposals for a voice and data telecommunications study completed and a contract awarded

Note: The head office component of the study is under way

A study of head office 'Programming Space Requirements' completed

Programs have been designed and implemented to bring in house all of our data processing requirements with respect to:

- reproduction cost distribution
- office supplies cost distribution
- · moveable assets inventories

#### **Internal Audit Branch**

#### P.A. Gould\* Director

The Internal Audit Branch provides independent and systematic reviews of all operations of the ministry and its agencies (excluding the Workers' Compensation Board).

In 1988/89, the branch:

Presented three audit reports to the Audit Committee

Completed the field work on two audits and conducted the preliminary work on three audits

Carried out special request audits as required

Enhanced audit quality by:

- Automating the audit process and branch management functions
- Providing professional training and development
- Developing policies and procedures, and implementing standards,
- Marketing the internal audit function

Implemented flextime on a trial basis

# Ministry Library and Information Services

#### Sandra A. Walsh Manager

The Ministry Library and Information Services, one of the major collections in its subject areas in Canada, provides in print, microform and electronic format a centralized, pro-active service in support of the programs and initiatives of the ministry and its agencies, commissions and committees.

In 1988/89, activities included:

Outreach to internal and external clients by orientation programs, visits to district offices and meetings with programs to determine information requirements

Continued implementation of the French Language Services legislation by translation of signage and library publications, staff language training, selection of core publications, cataloguing and indexing for appropriate access

Finalization of the technical development of the HANS data base indexing Ontario Hansard for ministry subject areas and eventual end user access by ministry staff

Final preparation for the migration of the BASIS data bases from the service

<sup>\*</sup> P.A. Gould was appointed director on March 6, 1989

bureau to the ministry VAX for eventual end user access by ministry staff

Introduction of a redesigned library bulletin, InfoLink, in a bilingual format

Design and use of a Library wordmark

Ongoing assistance in the planning for library services in the Mines and Minerals Research Centre in Sudbury

Formalized liaison with satellite library collections

#### Service Statistics

	1988/89	1987/88
Publications Ordered	1,368	1,373
Publications Catalogued	1,932	2,518
Circulation	4,486	5,715
Interlibrary Loans		
Loaned	1,780	1,881
Borrowed	660	538
Reference		
Ministry	1,821	1,736
Non-Ministry	5,134	4,992
Online Literature Searches	831	578
Articles Indexed	7,203	6,765
Bulletins Mailed	40.150	37,961
Articles Requested		
Ministry	7,838	8,078
Non-Ministry	7,797	7,058
Records on BASIS Database	S	
MOLINDEX		
(Serials)	76,188	70,680
MOLICAT		
(Library Catalogue)	26,104	24,378
OLRB Decisions	8,105	7,906
ESA Decisions	2,380	2,281

# Freedom of Information and Privacy Protection Office

#### Christopher Berzins Acting Co-ordinator

The Freedom of Information and Privacy Protection Office has two main areas of responsibility. The first is co-ordination of responses by the ministry to requests for information that are made under the *Freedom of Information and Protection of Privacy Act*. The second is ensuring that the ministry complies with the Act's restrictions on the collection, use and disclosure of personal information.

The office's co-ordinator provides advice to the deputy minister and to senior management with respect to the ministry's obligations under the Act. Guidance and information are also provided to ministry program areas and to the general public.

In 1988/89, the office

Received a total of 130 requests for information, 113 of those for general records and 17 for personal information

Completed 114 requests for information

Co-ordinated the ministry's submissions for the confidentiality clauses review conducted by Management Board

Made educational presentations to groups within the ministry and to co-ordinators in other government institutions

# Organizations Reporting Directly to the Deputy Minister

# Science Policy Adviser

Ann E. Robinson, Ph.D., C.Chem., F.C.I.C.

The Science Policy Adviser continues to:

Provide advice to the deputy minister on existing and emerging issues in occupational and environmental health and safety

Maintain contact with other jurisdictions on current issues

Provide advice on the development of strategies for closer collaboration between government and academic institutions on information exchange, opportunities for staff development and research

Provide science and science policy advice relating to specific ministry legislative initiatives

Collect and collate information on research to provide background for the development of an applied research policy

In 1988/89, the Science Policy Adviser's activities included:

Participating in the interministry discussions concerning various aspects of policy development in biotechnology

Participating as a member of the Priority Substances Advisory Panel, established under the *Canadian Environmental Protection Act* to develop the Priority Substances List

Initiating and co-ordinating guest presentations to ministry staff and other occupational health and safety parties on topics of current interest Working with a consultant on a structural framework for the education, training and information transfer needs of all workplace parties

Participating as a member of the Federal-Provincial Advisory Committee on Environmental and Occupational Health

### Legal Services Branch

#### Judith Wolfson Director

The Legal Services Branch provides general legal advice to the Ministry of Labour; drafts legislation and regulations; conducts prosecutions, hearings and appeals to enforce the ministry's legislation; prepares contracts and other legal documents for the ministry.

In 1988/89, the branch:

Assisted in drafting three major pieces of legislation within the ministry's responsibility

Assisted in drafting 23 regulations under the main ministry acts

Received 648 files recommending prosecutions under the *Occupational Health and Safety Act*. In addition, branch lawyers attended 534 trials concerning health and safety matters and completed 488 cases, a 74 per cent increase over the 287 cases completed in 1987/88. Along with the carry-over of cases from the 1987/88 fiscal year, the branch carried in excess of 1,150 active cases at any one time

Received 160 requests to represent occupational health and safety

inspectors in the appeal of their orders. This represents a 105 per cent increase over 1987/88, when there were 78 requests

Appeared as counsel for the ministry in 179 applications for review of Orders to Pay and section 51 hearings under the *Employment Standards Act* (a 20 per cent increase). The branch also received 233 new cases under the said Act, a 115 per cent increase over 1987/88, when we received 108 new cases

Drafted and approved 194 contracts, 20 of which were complex and included extensive drafting. The 194 approved contracts represent a 35 per cent increase over the 144 contracts approved in 1987/88

Received 196 written requests for opinions; this is a 62 per cent increase over last fiscal year, when 121 written requests were received

Assisted the ministry in its response to requests under the *Freedom of Information and the Protection of Privacy Act* and appeals under that Act

Expanded in size by two staff; one lawyer and one secretary, bringing the staff complement to 29

Renovated the existing space on the 25th Floor at 400 University Avenue to build four additional offices. The renovation enabled the branch to accommodate all its staff on one floor.

# Co-ordinator of French Language Services

#### Hélène Hunt Co-ordinator

The Office of the Co-ordinator of French Language Services provides consultation and advice to the deputy minister and senior ministry management in the implementation of the *French Language Services Act*. The co-ordinator also provides information to francophone groups of Ontario on ministry programs and services. The co-ordinator represents the ministry on the Council of Co-ordinators of French Language Services, chaired by the executive director of the Office of Francophone Affairs.

In 1988/89, the co-ordinator:

Had the ministry French Language Services Plan approved by the Office of Francophone Affairs and the French Language Services Commission

Organized the initial translation of the ministry's regulations as well as of existing information material

Chaired a committee that developed new French training policies and organized training for eligible incumbents of positions identified for designation

Monitored the implementation of the French Language Services Plan throughout the ministry and its agencies, boards and commissions

# **Director of Appeals**

# E. Smith Director

The Director of Appeals reports directly to the deputy minister and is responsible for hearing appeals from orders or decisions of inspectors under section 32, of the Occupational Health and Safety Act.

In 1988/89, 170 appeals were registered. The large majority were withdrawn or settled prior to hearing. Thirty-one decisions were rendered during this period as a result of hearings.

#### **Communications Branch**

#### Robert I. Cohen Director

The goal of the Communications Branch is to create and sustain awareness and understanding of the laws administered by the ministry and of its policies and programs. Communication materials are produced in English, French and third languages. The branch provides professional advice and program support to the minister, his deputy and senior officials through two avenues – news and information and communications planning and services.

#### Activities for 1988/89 included:

In consultation with relevant program areas produced 67 new brochures and publications, revised 16 others and reprinted 39; helped to develop several slide presentations

Researched and wrote 30 statements and 43 speeches

Issued 37 news releases and answered about 2,200 news media inquiries in both official languages

Responded to public telephone inquiries and requests for ministry publications

Published eight print 'newsletters' and produced two video 'newsletters' for ministry staff

Provided communications support, including background documents, news

releases, speeches, statements and brochures, for major policy initiatives, including occupational health and safety reform, workers' compensation reform, smoking-in-the-workplace legislation and the introduction of the Workplace Hazardous Material Information System (WHMIS)

Managed summer training program for journalism students without outside news media sponsors.

# Boards and Commissions

### **Ontario Labour Relations Board**

M.G. Mitchnick\*

T.A. Inniss Registrar

The Ontario Labour Relations Board is a quasi-judicial, independent tribunal responsible for the administration of the *Labour Relations Act*. Under this Act, the board:

Certifies trade unions as collective bargaining agents for employees

Appoints officers to mediate complaints of contraventions of the Act, conducts hearings into complaints that are not settled and grants remedial orders where it finds that the Act has been contravened

Issues directions and declarations where unlawful strikes and lock-outs have occurred

Settles jurisdictional disputes arising from assignment of work

Accredits employers' organizations and employer bargaining agencies in the construction industry

Certifies employee bargaining agencies in the construction industry

Conducts arbitration hearings arising from grievances under construction industry collective agreements

Terminates bargaining rights

Directs the settlement of a first collective agreement by arbitration

Arbitrates the settlement of a first collective agreement

Provides decisions for the minister relating to his authority to appoint conciliation officers or arbitrators

Details of the activities of the board and its staff will be found in the board's 1988/89 annual report.

# Advisory Council on Occupational Health and Occupational Safety

Dr. D.R. McCalla Chairman Dr. C.J. Tuohy Vice-chairman

The Advisory Council on Occupational Health and Occupational Safety advises the Minister of Labour on matters relating to occupational health and safety that may be brought to its attention or referred to it. Membership of the council is drawn from management, labour, and technical and professional persons and the public who are concerned with and have knowledge of occupational health and safety.

During the 1988/89 fiscal year, council submitted one advisory memorandum to the minister:

Concerning Amendments to the Occupational Health and Safety Act

and proceeded with consideration of proposed amendments to the occupational health and safety legislation in preparation for providing further advice to the minister in this area.

Further details of the activities of council and its task forces on education and training and small business, together with the minister's responses to council advisory memoranda, may be found in council's Eleventh Annual Report.

<sup>\*</sup> M.G. Mitchnick was appointed chair on March 20, 1989.

# Workers' Compensation Board

Robert G. Elgie, Q.C., M.D., F.R.C.S.(C)
Chairman

The Workers' Compensation Board of Ontario, which operates out of 14 offices province-wide, including a Toronto head office, provides three fundamental services for Ontario's workers and employers. First, it adjudicates claims for work-related injuries and occupational diseases, and it compensates workers for the time lost from work and for permanent disability. Second, it furnishes injured workers with comprehensive health care and vocational rehabilitation services to assist in their recovery and return to gainful employment. Third, it pays for these services through the collection of funds from the province's employers.

In 1988, the board's activities included:

A new Medical Rehabilitation Strategy to provide early access to high quality health care closer to workers' homes through the creation of a network of community clinics and regional evaluation centres, and a provincial medical rehabilitation institute

A new Vocational Rehabilitation Strategy to provide early, effective and intensive vocational rehabilitation services to mitigate the effects of an injury on a worker's employment capabilities

Interpreted the statutory phrase 'injury by accident' as part of the first section 86n review

The opening of a sixth regional office in Windsor as another step in the board's decentralization program Promotion of a safe workplace through 'Workwell', a pilot program developed for introduction in 1989. It uses financial rewards and penalties for employers to maintain safe and healthy workplaces

Development of a Workers' Benefit System to automate the benefit payment function by the end of 1989

The year 1988 saw new claims across the province increase to 489,819. Of total claims:

43.9 per cent (215,186) were accepted as lost-time claims, involving time off work and compensation payments

46.5 per cent (227,654) were accepted as no-lost-time claims for accidents that necessitated health care treatment but no time off work beyond the day of the accident

7.5 per cent (36,876) were not accepted as claims in either category

2.1 per cent (10,103) were otherwise categorized (including withdrawn or pending claims).

During the year, the board:

Paid benefits totalling \$1,624,467,000

Collected \$2,200,662,000 in assessment income from the 201,000 employers in Ontario included under Schedule 1 of the *Workers' Compensation Act* 

Further details of these developments and of other board activities may be found in the board's 1988 annual report, which covers the fiscal year ending December 31, 1988. A statistical supplement to the 1988 annual report is also available upon request from the Communications Branch, Workers' Compensation Board, (416) 927–3500.

### Workers Compensation Appeals Tribunal

#### S. Ronald Ellis Chairman

The Workers' Compensation Appeals Tribunal (WCAT) is the final level of appeal to which workers and employers may bring Workers' Compensation Board (WCB) matters regarding entitlement to benefits, health care and vocational rehabilitation. It also decides appeals from WCB decisions on assessments. penalties and transfers of costs as well as disputes over employer access to workers' files and workers' objections to undergoing medical examinations requested by employers. In addition, the tribunal decides if a person has the right to sue in court instead of making a compensation claim. WCAT is an independent tribunal, separate and apart from WCB.

In 1988/89, the tribunal:

Issued decisions on a number of important issues including pension assessments, pension supplements, occupational diseases, occupational stress, time problems and the right to sue

Trained a number of new full- or part-time panel members in hearings procedure and substantive legal and medical issues and continued the education of existing members and staff. Re-organized internal procedures with a view to producing faster access to hearings and decisions without sacrificing the quality of the decision-making process

Adopted a formal Statement of Mission, Goals and Commitments, designed to institutionalize a carefully considered tribunal-wide view of the tribunal's basic mandate

Issued the chairman's third report

Held 1,122 hearings 881 in Toronto and 241 in seven regional centres around the province and disposed of another 724 cases without a hearing

Released 1,390 decisions, of which 192 were published in the tribunal's *Reporter* 

Continued to prepare for the implementation of the *French Language Services Act* in November 1989; was able to conduct hearings and issue decisions in the French language

Continued to recognize an institutional responsibility to assist the employer and worker communities in understanding the tribunal's role and operation and accepted invitations to speak at conferences and meetings and participate in seminars and workshops

Improved the library's overall access to information and resources

Published six volumes of the *Reporter*, a journal of the tribunal's significant decisions

Set up and activated a full-text data base of Workers' Compensation Appeals Tribunal decisions, known as WCAT ONLINE, with general access scheduled for 1989

Continued with the development of a computerized case management system.

# **Industrial Disease Standards Panel**

#### J. Stefan Dupré Chairman

The Industrial Disease Standards Panel (IDSP) is a Schedule I Agency that investigates possible industrial disease in the province, makes findings of probable connection between disease and the workplace and recommends criteria and eligibility rules for the adjudication of claims for compensation for those industrial diseases. The IDSP reports its findings to the Workers' Compensation Board of Ontario (WCB).

In 1988/89, the IDSP produced Reports of Findings on:

The methodological issue referred to as the 'Healthy Worker Effect', a phenomenon that confers a healthier status on a worker, especially during his early employment, than on an appropriate match in the general population. This phenomenon can affect the estimation of disease risk in working populations

Its review of several recommendations of the Royal Commission on Asbestos concerning: the scheduling (in Schedule 4 of the *Workers' Compensation Act*) of asbestosis and mesothelioma; the compensation for both physical and psychological impairment from asbestosis; entitlement to survivors of workers with partial disability awards for asbestosis when death occurs from certain cancers; certain matters of notification; and the reorganization of the board's advisory committee on occupational chest diseases

A reported excess of certain female cancers in a lamp plant manufacturing company; and Lung cancer and Ontario uranium miners.

#### The IDSP also:

Continued its study on matters arising during the adjudication of claims for occupational diseases

Continued its review of other recommendations of the Royal Commission on Asbestos in preparation for additional Reports of Findings on asbestos-related disease

Completed the review of options for the development of an Ontario occupational cancer data base using the Ontario Cancer Registry

Drafted questions on occupational health and disease for possible inclusion in the first Ontario Health Status Survey

Initiated a review of the WCB's guidelines on laryngeal cancer and nickel exposure

Initiated a study concerning occupational diseases, including cardiovascular disease, among Ontario firefighters

Initiated a study of the possible relationship between aluminum exposure and any related health effects

# Public Service Appeal Boards

#### J. Shirlow\* Secretary

The four statutory tribunals comprising the Public Service Appeal Boards function as independent quasi-judicial tribunals that oversee the labour relations of Ontario Crown employees.

# Ontario Public Service Labour Relations Tribunal

P.C. Picher Chairperson J. Shirlow\*\*
Registrar

The Ontario Public Service Labour Relations Tribunal administers the *Crown Employees Collective Bargaining Act*, and is empowered by the Act to appoint mediators and arbitrators and to adjudicate matters referred to it by government employers, employee organizations or employees, such as:

- representation rights
- unfair labour practices
- employee inclusion/exclusion from bargaining units

In 1988/89, the tribunal:

Prepared an index for all tribunal decisions from the inception of the tribunal to date

Increased the use of investigators to effect settlement of cases or reduce the issues in dispute

Began a process whereby cases can be consolidated for hearing

Increased the number of decisions issued

Improved efficiency in administering cases through the use of technology

### Crown Employees Grievance Settlement Board

O.B. Shime Chairperson

J. Shirlow\* Registrar

The Crown Employees Grievance Settlement Board is an independent agency responsible for the resolution of collective agreement disputes between the employer, trade unions and employees. It reports to the legislature through the Minister of Labour.

In 1988/89, the board:

Established procedures to deal effectively and efficiently with the backlog of non-Office Administration Group classification cases, including consolidating classification grievances, and establishing procedures for the parties to exchange documents prior to the hearing to facilitate the hearing process

Arranged for a special mediator to assist the parties in the handling of Office Administration Group classification cases

Improved efficiency in administering cases through the use of technology

Increased number of hearings scheduled, hearings held, and decisions issued

J. Shirlow was appointed secretary on June 13, 1988.

<sup>\*\*</sup> J. Shirlow was appointed registrar on June 13, 1988.

<sup>\*</sup> J. Shirlow was appointed registrar on June 13, 1988.

Eliminated the backlog for scheduling new cases and became current in them

Decreased the number of cases pending

Ontario Public Service Labour Relations Tr Applications in Fiscal Year	1988/89	1987/88
Filed Before March 31 and Pending	178	123
Filed in Year	52	103
Appointments		
Investigator	77	52
Mediator for Interest Arbitration	9	14
Arbitrator for Interest Arbitration	7	8
Disposition		
Pending Before Investigator	39	6
Pending Before Arbitrator		
for Interest Arbitration	9	7
Pending Initial Hearing Before Tribunal	39	37
Pending Before Tribunal in Hearing Stage	37	32
Pending Decision	1	6
Decision Issued by Arbitrator		
for Interest Arbitration	5	3
Decision Issued by Tribunal	61	45

Grievance in Fiscal Year	1988/89	1987/88
Carried Forward from Previous Fiscal Year	4,371	3,821
Filed in Year		
Dismissal	68	70
Classification	450	1,422
Policy	88	62
Other	973	1,059
Total	1,579	2,613
Hearings Scheduled	2,167	2,001
Cases Settled	1,288	1,740
Actual Hearings Held	696	558
Decisions Issued	585	323
Cases Pending as of End of Fiscal	4,077*	4,371

<sup>\*</sup> Of the 4,077 cases pending, 2,776 are classifications cases including 1,138 Office Administration Group cases.

#### Public Service Grievance Board

G.G. Brent Chairperson J. Shirlow\* Secretary

The Public Service Grievance Board operates pursuant to the *Public Service Act* and is responsible for the adjudication of grievances concerning non-bargaining unit employees involving such matters as dismissal, working conditions and terms of employment.

# **Classification Rating Committees**

J. Shirlow\* Secretary

Classification Rating Committees are designated by the chairman of the Civil Service Commission. Pursuant to Regulation 881 under the *Public Service Act*, committees are appointed to adjudicate classification grievances concerning non-bargaining unit employees.

Public Service Grievance Board Grievance in Fiscal Year	1988/89	1987/88
Filed Before March 31 and Pending	22	16
Filed in Year	23	24
Settled or Withdrawn	9	12
Decisions Issued	3	6
Cases Pending as of March 31	33	22

Classification Rating Committees Grievance in Fiscal Year	1988/89	1987/88
Filed Before March 31 and Pending	15	10
Filed in Year	11	10
Settled or Withdrawn	10	5
Decisions Issued	2	0
Cases Pending as of March 31	14	15

<sup>\*</sup> J. Shirlow was appointed secretary on June 13, 1989.

<sup>\*</sup> J. Shirlow was appointed secretary on June 13, 1989.

# **Pay Equity Commission**

#### Brigid O'Reilly\* Commissioner

The Pay Equity Commission was created by Bill 154, the *Pay Equity Act*, 1987, which was proclaimed January 1, 1988.

The commission's mandate is to assist employers, employees and bargaining agents in achieving pay equity under the terms of the Act.

The commission consists of two parts: the Pay Equity Office and the Pay Equity Hearings Tribunal.

#### Pay Equity Office

The Pay Equity Office itself is divided into three branches: Policy and Research, Information and Education, and Review Services.

The Policy and Research Branch provides analytical support to the commission, its client groups and the government by developing policy and conducting research on current and emerging pay equity issues.

The Information and Education Services Branch is responsible for public education, including: an extensive publishing program, workshops, seminars, conferences, telephone counselling, public and media relations, and other outreach activities.

The Review Services Branch offers conciliation and mediation services, if needed, to employers, employees and bargaining agents.

In addition to staff in the three branches, the commission has the services of legal counsel and specialists in compensation.

#### Pay Equity Hearings Tribunal

The Pay Equity Hearings Tribunal is an independent, quasi-judicial adjudicative body that hears complaints and rules on appeals from affected groups. Chaired by Beth Symes, the tripartite tribunal consists of full-time and part-time vice-chairs as well as other members representing both employers and employees. All are appointed by the lieutenant-governor in council.

The tribunal hears cases in panels of three: a member representing employers, a member representing employees and a panel chair.

1988/89 Activities of the Pay Equity Commission

During the first few months of its existence, the commission's activities have included, by area:

# Pay Equity Office

Policy and Research Branch

Fifteen guidelines were developed to assist clients in implementing pay equity

A longitudinal study was initiated to monitor the implementation of pay equity and to determine the effectiveness of the Act in reducing the gender-based proportion of the wage gap in Ontario.

In January 1989, the Minister of Labour tabled the commission's 'Report on Sectors of the Economy Which Are Predominantly Female'. Ontario is the only jurisdiction to have undertaken such a

<sup>\*</sup> Brigid O'Reilly was appointed commissioner on March 1,1989.

comprehensive study of predominantly female workplaces. The study included nine sectoral reports on: childcare, community and social services, health care, libraries, manufacturing, retail, leather/apparel manufacturing, tourism and personal services. Research testing the five options outlined in the report is currently under way. A quantitative survey was also carried out within the nine sectors. Questionnaires were sent to over 7,000 employers in Ontario, 65 per cent of whom responded. Detailed results of this study will be published in 1989.

#### Information and Education Branch

Developed a 30-hour pay equity training program, which was adopted by all of Ontario's 22 community colleges. More than 100 college instructors have been trained by the commission in the delivery of this program

Responded to some 10,000 inquiries through the commission's telephone hot lines. Responses included instruction, counselling and referrals

Developed a mailing list of 18,000 names

Published a number of educational and informational materials including:

- basic information kit
- newsletters
- implementation guidelines
- a book, How to Do Pay Equity Job Comparisons

Translated key employee publications into 11 languages other than English and French

Produced two training videos

Conducted more than 500 presentations: speaking engagements, seminars, conferences and workshops, reaching some 22,000 people

Held six major regional conferences with a total of 2,400 participants: Toronto, 1,300 (two conferences); Sudbury, 200; London, 350; Thunder Bay, 300; and Ottawa, 350

Developed and implemented educational programs and strategies for public and private sector employers and bargaining agents

#### Review Services Branch

Recruited and trained a total of seven review officers to provide third-party assistance to union and management groups developing pay equity plans under the Act

Received 44 complaints under the Act, of which,

- 30 have been settled
- Three have been referred to the Pay Equity Hearings Tribunal by order or decision
- 11 are still under active review

Provided preventive assistance to parties developing pay equity plans through consultation and informal mediation

Clarified, with the labourmanagement community, the dispute resolution process that the branch offers through speaking engagements, seminars, guideline preparation and internal policy development Opened dialogue with agencies administering other pieces of labour legislation that relate to the Act

#### Pay Equity Hearings Tribunal

Members of the tribunal, appointed May 1, 1988, were chosen for their labour relations and compensation experience. Members underwent an intensive education program on pay equity, administrative law, adjudication and decision writing.

The tribunal prepared draft principles of case management and circulated them to employers, groups of employers, employers' organizations, unions, advocacy groups representing women, and labour lawyers representing management and employees. In addition, members of

the tribunal met with legal representatives from Thunder Bay, Sudbury, Ottawa, Hamilton, London and Windsor to receive their criticisms and suggestions

Prepared forms to assist the parties to comply with the Rules of Practice. The Rules of Practice and forms have been translated into French

Members of the tribunal have been engaged in an active program of outreach to the community and have spoken and given papers to numerous groups

Based upon those comments, the tribunal drafted its Rules of Practice and circulated the draft for comments. Further revisions were done.













